

ESSB 6444 - H AMD 1295
By Representative Linville

ADOPTED AND ENGROSSED 3/5/10

1 Strike everything after the enacting clause and insert the
2 following:

3 "PART I
4 GENERAL GOVERNMENT

5 **Sec. 101.** 2009 c 564 s 101 (uncodified) is amended to read as
6 follows:

7 **FOR THE HOUSE OF REPRESENTATIVES**

8	General Fund--State Appropriation (FY 2010)	((\$33,500,000))
9		<u>\$33,505,000</u>
10	General Fund--State Appropriation (FY 2011)	((\$33,379,000))
11		<u>\$31,794,000</u>
12	TOTAL APPROPRIATION	((\$66,879,000))
13		<u>\$65,299,000</u>

14 **Sec. 102.** 2009 c 564 s 102 (uncodified) is amended to read as
15 follows:

16 **FOR THE SENATE**

17	General Fund--State Appropriation (FY 2010)	((\$24,957,000))
18		<u>\$24,960,000</u>
19	General Fund--State Appropriation (FY 2011)	((\$27,182,000))
20		<u>\$25,409,000</u>
21	TOTAL APPROPRIATION	((\$52,139,000))
22		<u>\$50,369,000</u>

23 **Sec. 103.** 2009 c 564 s 103 (uncodified) is amended to read as
24 follows:

25 **FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

26	General Fund--State Appropriation (FY 2010)	((\$2,874,000))
27		<u>\$2,774,000</u>

1 General Fund--State Appropriation (FY 2011) \$2,884,000
2 TOTAL APPROPRIATION ((~~\$5,758,000~~))
3 \$5,658,000

4 The appropriations in this section are subject to the following
5 conditions and limitations:

6 (1) Notwithstanding the provisions of this section, the joint
7 legislative audit and review committee may adjust the due dates for
8 projects included on the committee's 2009-11 work plan as necessary to
9 efficiently manage workload.

10 (2) Within the amounts appropriated in this section, the committee
11 shall conduct a review of the effect of risk management practices on
12 tort payouts. This review shall include an analysis of the state's
13 laws, policies, procedures, and practices as they relate to the conduct
14 of post-incident reviews and the impact of such reviews on the state's
15 conduct and liability.

16 (3) Within the amounts appropriated in this section, the committee
17 shall conduct a review of the state's workplace safety and health
18 program. The review shall examine workplace safety inspection,
19 enforcement, training, and outreach efforts compared to other states
20 and federal programs; analyze workplace injury and illness rates and
21 trends in Washington; identify factors that may influence workplace
22 safety and health; and identify practices that may improve workplace
23 safety and health and/or impact insurance costs.

24 (4) Within the amounts appropriated in this section, the committee
25 shall prepare an evaluation of the implementation of legislation
26 designed to improve communication, collaboration, and expedited
27 medicaid attainment with regard to persons released from confinement
28 who have mental health or chemical dependency disorders. The review
29 shall evaluate the implementation of: (a) Chapter 166, Laws of 2004
30 (E2SSB 6358); (b) sections 507 and 508 of chapter 504, Laws of 2005
31 (E2SSB 5763); (c) sections 12 and 13 of chapter 503, Laws of 2005
32 (E2SHB 1290); and (d) section 8 of chapter 359, Laws of 2007 (2SHB
33 1088). The departments of corrections and social and health services,
34 the administrative office of the courts, institutions for mental
35 disease, city and county jails, city and county courts, county clerks,
36 and mental health and chemical dependency treatment providers shall
37 provide the committee with information necessary for the study.

1 (5) Within the amount appropriated in this section, the joint
2 legislative audit and review committee shall conduct a review of the
3 state's recreational boating programs. This review shall include
4 examination of the following:

5 (a) Revenue sources for state recreational boating programs;

6 (b) Expenditures for state boating programs;

7 (c) Methods of administrating state recreational boating programs,
8 including the roles of both state and local government entities; and

9 (d) Approaches other states have taken to funding and administering
10 their recreational boating programs.

11 The committee shall complete the review by October 31, 2010.

12 (~~(7)~~) (6) Within the amount appropriated in this section, the
13 joint legislative audit and review committee shall examine the
14 operations of employment and day services as provided by the department
15 of social and health services, division of developmental disabilities
16 and administered by the counties. The examination shall include a
17 thorough review of the contracts for all services including, but not
18 limited to, employment services, day services, child development
19 services and other uses of state dollars for county administration of
20 services to the developmentally disabled. In its final report, due to
21 the legislature by September 1, 2010, the joint legislative audit and
22 review committee shall provide: A description of how funds are used
23 and the rates paid to vendors, and a recommendation on best practices
24 the agency may use for the development of a consistent, outcome-based
25 contract for services provided under contract with the counties.

26 (~~(8)~~) (7) Within the amount appropriated in this section, the
27 joint legislative audit and review committee shall conduct a study of
28 the relationship between the cost of school districts and their
29 enrollment size. The study shall be completed by June 2010 and shall
30 include:

31 (a) An analysis of how categories of costs vary related to size,
32 including but not limited to facility costs, transportation costs,
33 educational costs, and administrative costs;

34 (b) A review of other factors that may impact costs, such as
35 revenues available from local levies and other sources, geographic
36 dispersion, demographics, level of services received from educational
37 service districts, and whether districts operate a high school;

1 (c) Case studies on the change in cost patterns occurring after
2 school district consolidations and for school districts operating under
3 state oversight condition specified in RCW 28A.505.110; and

4 (d) A review of available research on nonfinancial benefits and
5 impacts associated with school and school district size.

6 (8) Within the amounts appropriated in this section, the joint
7 legislative audit and review committee shall conduct a review of the
8 special education safety net and provide a report to the relevant
9 fiscal and policy committees of the legislature in December 2010. The
10 review shall focus on: (a) A review of the administrative and
11 procedural changes to the safety net award process since its inception,
12 and the impact of those changes on program implementation; (b) an
13 analysis of safety net spending over time, including an analysis of the
14 primary factors explaining changes in safety net expenditures over
15 time, and; (c) a comparison of Washington's safety net program with
16 programs with a similar purpose, in other states, including an analysis
17 of eligibility thresholds, application procedures and timelines, and
18 auditing practices.

19 **Sec. 104.** 2009 c 564 s 105 (uncodified) is amended to read as
20 follows:

21 **FOR THE OFFICE OF THE STATE ACTUARY**

22	General Fund--State Appropriation (FY 2010)	\$200,000
23	General Fund--State Appropriation (FY 2011)	\$25,000
24	((Health Care Authority Administrative Account--State	
25	Appropriation	\$735,000))
26	Department of Retirement Systems Expense	
27	Account--State Appropriation	(((\$3,309,000))
28		<u>\$3,319,000</u>
29	TOTAL APPROPRIATION	(((\$4,269,000))
30		<u>\$3,544,000</u>

31 The appropriations in this section are subject to the following
32 conditions and limitations:

33 (1) \$25,000 of the department of retirement systems--state
34 appropriation is provided solely for the continued study of local
35 government liabilities for postretirement medical benefits for members
36 of plan 1 of the law enforcement officers' and firefighters' retirement
37 system.

1 (2) \$51,000 of the department of retirement systems expense
2 account--state appropriation is provided solely for the state actuary
3 to contract with the Washington state institute for public policy for
4 a study of the disability benefits provided to the plan 2 and plan 3
5 members of the public employees' retirement system, the teachers'
6 retirement system, and the school employees' retirement system. Among
7 the options the institute shall examine include statutory changes to
8 the retirement systems and insurance products. The institute shall
9 report its findings and recommendations to the select committee on
10 pension policy by November 1, 2009.

11 (3) \$30,000 of the department of retirement systems expense
12 account--state appropriation is provided solely for the state actuary
13 to contract with the Washington state institute for public policy to
14 continue the study of long-term disability benefits for public
15 employees as authorized by subsection (2) of this section during the
16 2010 legislative interim. The purpose of the study is to develop the
17 options identified in the 2009 legislative interim disability benefit
18 study, including options related to the public employees' benefits
19 board programs, other long-term disability insurance programs, and
20 public employee retirement system benefits. The institute shall report
21 no later than November 17, 2010, new findings and any additional
22 recommendations on the options to the select committee on pension
23 policy, the senate committee on ways and means, and the house committee
24 on ways and means. The Washington state institute for public policy
25 shall work with the health care authority to coordinate analysis and
26 recommendations with its contracted disability vendor and appropriate
27 stakeholders.

28 (4) \$175,000 of the general fund--state appropriation for fiscal
29 year 2010 is provided solely for the office of the state actuary to
30 conduct an independent assessment of alternatives for assuring the
31 long-term financial solvency of the guaranteed education tuition
32 program including suspension of the program. In conducting this
33 review, the office may contract for assistance, and shall consult with
34 the higher education coordinating board, the operating budget
35 committees of the legislature, the office of financial management, and
36 the state's public colleges and universities. The office shall report
37 findings, an assessment of the major alternatives, and suggested

1 actions to the governor and to the relevant legislative committees by
2 November 15, 2009.

3 **Sec. 105.** 2009 c 564 s 106 (uncodified) is amended to read as
4 follows:

5 **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

6	General Fund--State Appropriation (FY 2010)	((\$8,651,000))
7		<u>\$8,652,000</u>
8	General Fund--State Appropriation (FY 2011)	((\$8,519,000))
9		<u>\$8,564,000</u>
10	TOTAL APPROPRIATION	((\$17,170,000))
11		<u>\$17,216,000</u>

12 **Sec. 106.** 2009 c 564 s 107 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATUTE LAW COMMITTEE**

15	General Fund--State Appropriation (FY 2010)	((\$4,610,000))
16		<u>\$4,611,000</u>
17	General Fund--State Appropriation (FY 2011)	((\$5,029,000))
18		<u>\$4,893,000</u>
19	TOTAL APPROPRIATION	((\$9,639,000))
20		<u>\$9,504,000</u>

21 **Sec. 107.** 2009 c 564 s 108 (uncodified) is amended to read as
22 follows:

23 **FOR THE REDISTRICTING COMMISSION**

24	General Fund--State Appropriation (FY 2011)	((\$610,000))
25		<u>\$1,115,000</u>

26 The appropriations in this section are subject to the following
 27 conditions and limitations: \$505,000 of the general fund--state
 28 appropriation for fiscal year 2011 is provided solely for the support
 29 of legislative redistricting efforts. Prior to the appointment of the
 30 redistricting commission, the secretary of the senate and chief clerk
 31 of the house of representatives may jointly authorize the expenditure
 32 of these funds to facilitate preparations for the 2012 redistricting
 33 effort. Following the appointment of the commission the house of
 34 representatives and senate shall enter into an interagency agreement

1 **FOR THE ADMINISTRATOR FOR THE COURTS**

2	General Fund--State Appropriation (FY 2010)	((\$53,607,000))
3		<u>\$52,644,000</u>
4	General Fund--State Appropriation (FY 2011)	((\$51,812,000))
5		<u>\$52,411,000</u>
6	<u>General Fund--Federal Appropriation</u>	<u>\$979,000</u>
7	Judicial Information Systems Account--State	
8	Appropriation	((\$29,676,000))
9		<u>\$29,722,000</u>
10	Judicial Stabilization Trust Account--State	
11	Appropriation	\$6,598,000
12	TOTAL APPROPRIATION	((\$141,693,000))
13		<u>\$142,354,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations:

16 (1) (~~(\$1,800,000 of the general fund state appropriation for~~
17 ~~fiscal year 2010 and \$1,800,000 of the general fund state~~
18 ~~appropriation for fiscal year 2011 are provided solely for school~~
19 ~~districts for petitions to juvenile court for truant students as~~
20 ~~provided in RCW 28A.225.030 and 28A.225.035. The office of the~~
21 ~~administrator for the courts shall develop an interagency agreement~~
22 ~~with the superintendent of public instruction to allocate the funding~~
23 ~~provided in this subsection. Allocation of this money to school~~
24 ~~districts shall be based on the number of petitions filed. This~~
25 ~~funding includes amounts school districts may expend on the cost of~~
26 ~~serving petitions filed under RCW 28A.225.030 by certified mail or by~~
27 ~~personal service or for the performance of service of process for any~~
28 ~~hearing associated with RCW 28A.225.030.~~

29 (2)(a) (~~\$8,252,000 of the general fund state appropriation for~~
30 ~~fiscal year 2010 and \$8,253,000 of the general fund state~~
31 ~~appropriation for fiscal year 2011 are provided solely for distribution~~
32 ~~to county juvenile court administrators to fund the costs of processing~~
33 ~~truancy, children in need of services, and at risk youth petitions.~~
34 ~~The administrator for the courts, in conjunction with the juvenile~~
35 ~~court administrators, shall develop an equitable funding distribution~~
36 ~~formula. The formula shall neither reward counties with higher than~~
37 ~~average per petition processing costs nor shall it penalize counties~~
38 ~~with lower than average per petition processing costs.~~

1 ~~(b) Each fiscal year during the 2009-11 fiscal biennium, each~~
2 ~~county shall report the number of petitions processed and the total~~
3 ~~actual costs of processing truancy, children in need of services, and~~
4 ~~at-risk youth petitions. Counties shall submit the reports to the~~
5 ~~administrator for the courts no later than 45 days after the end of the~~
6 ~~fiscal year. The administrator for the courts shall electronically~~
7 ~~transmit this information to the chairs and ranking minority members of~~
8 ~~the house of representatives appropriations committee and the senate~~
9 ~~ways and means committee no later than 60 days after a fiscal year~~
10 ~~ends. These reports are deemed informational in nature and are not for~~
11 ~~the purpose of distributing funds.~~

12 ~~(3))~~ No funding may be expended for modernization of judicial
13 information system applications, including the district and municipal
14 court information system and the superior court management information
15 system, until the administrative office of the courts provides a report
16 to the legislature and the information services board that includes an
17 evaluation of existing systems that have been developed by local
18 jurisdictions that could be implemented statewide, such as in Pierce
19 county, to ensure that existing systems are maximized, and so that any
20 modernization efforts are implemented with the least disruption, and
21 maintain continuity of critical systems.

22 (2) The distributions made under this subsection and distributions
23 from the county criminal justice assistance account made pursuant to
24 section 801 of this act constitute appropriate reimbursement for costs
25 for any new programs or increased level of service for purposes of RCW
26 43.135.060.

27 ~~((4))~~ (3) \$5,700,000 of the judicial information systems
28 account--state appropriation is provided solely for modernization and
29 integration of the judicial information system.

30 (a) Of this amount, \$1,700,000 is for the development of a
31 comprehensive enterprise-level information technology strategy and
32 detailed business and operational plans in support of that strategy,
33 and \$4,000,000 is to continue to modernize and integrate current
34 systems and enhance case management functionality on an incremental
35 basis.

36 (b) The amount provided in this subsection may not be expended
37 without prior approval by the judicial information system committee in
38 consultation with the information services board. The administrator

1 shall regularly submit project plan updates for approval to the
2 judicial information system committee and the information services
3 board.

4 (c) The judicial information system committee and the information
5 services board shall review project progress on a regular basis and may
6 require quality assurance plans. The judicial information systems
7 committee and the information services board shall provide a report to
8 the appropriate committees of the legislature no later than November 1,
9 2011, on the status of the judicial information system modernization
10 and integration, and the consistency of the project with the state's
11 architecture, infrastructure and statewide enterprise view of service
12 delivery.

13 ~~((+5))~~ (4) \$3,000,000 of the judicial information systems
14 account--state appropriation is provided solely for replacing computer
15 equipment at state courts, and at state judicial agencies. The
16 administrator for the courts shall prioritize equipment replacement
17 purchasing and shall fund those items that are most essential or
18 critical. By October 1, 2010, the administrative office of the courts
19 shall report to the appropriate legislative fiscal committees on
20 expenditures for equipment under this subsection.

21 ~~((+6))~~ (5) \$12,000 of the judicial information systems account--
22 state appropriation is provided solely to implement Engrossed
23 Substitute House Bill No. 1954 (sealing juvenile records). If the bill
24 is not enacted by June 30, 2009, the amount provided in this subsection
25 shall lapse.

26 ~~((+7))~~ (6) \$106,000 of the general fund--state appropriation for
27 fiscal year 2010 and \$106,000 of the general fund--state appropriation
28 for fiscal year 2011 are provided solely for the twenty-third superior
29 court judge position in Pierce county. The funds appropriated in this
30 subsection shall be expended only if the judge is appointed and serving
31 on the bench.

32 ~~((+8))~~ (7) It is the intent of the legislature that the reductions
33 in appropriations in this section shall be achieved, to the greatest
34 extent possible, by reducing those state government administrative
35 costs that do not affect direct client services or direct service
36 delivery or programs. The agency shall, to the greatest extent
37 possible, reduce spending in those areas that shall have the least
38 impact on implementing its mission.

1 provided in this subsection. The nonprofit organization shall be
2 required to raise contributions or commitments to make contributions,
3 in cash or in kind, in an amount equal to forty percent of the state
4 contribution. The office of the secretary of state may make full or
5 partial payment once all criteria in this subsection have been
6 satisfactorily documented.

7 (b) The legislature finds that the commitment of on-going funding
8 is necessary to ensure continuous, autonomous, and independent coverage
9 of public affairs. For that purpose, the secretary of state shall
10 enter into a contract with the nonprofit organization to provide public
11 affairs coverage.

12 (c) The nonprofit organization shall prepare an annual independent
13 audit, an annual financial statement, and an annual report, including
14 benchmarks that measure the success of the nonprofit organization in
15 meeting the intent of the program.

16 (d) No portion of any amounts disbursed pursuant to this subsection
17 may be used, directly or indirectly, for any of the following purposes:

18 (i) Attempting to influence the passage or defeat of any
19 legislation by the legislature of the state of Washington, by any
20 county, city, town, or other political subdivision of the state of
21 Washington, or by the congress, or the adoption or rejection of any
22 rule, standard, rate, or other legislative enactment of any state
23 agency;

24 (ii) Making contributions reportable under chapter 42.17 RCW; or

25 (iii) Providing any: (A) Gift; (B) honoraria; or (C) travel,
26 lodging, meals, or entertainment to a public officer or employee.

27 (3) The appropriations in this section are based upon savings
28 assumed from the implementation of Senate Bill No. 6122 (election
29 costs).

30 (4) The secretary of state shall not reduce the services provided
31 by the talking book and Braille library below the service level
32 provided in fiscal year 2008.

33 (5) In implementing budget reductions, the office of the secretary
34 of state must make its first priority to maintain funding for the
35 elections division.

36 **Sec. 116.** 2009 c 564 s 121 (uncodified) is amended to read as
37 follows:

1 **FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

2	General Fund--State Appropriation (FY 2010)	((\$266,000))
3		<u>\$275,000</u>
4	General Fund--State Appropriation (FY 2011)	((\$276,000))
5		<u>\$257,000</u>
6	TOTAL APPROPRIATION	((\$542,000))
7		<u>\$532,000</u>

8 The appropriations in this section are subject to the following
9 conditions and limitations: The office shall assist the department of
10 personnel on providing the government-to-government training sessions
11 for federal, state, local, and tribal government employees. The
12 training sessions shall cover tribal historical perspectives, legal
13 issues, tribal sovereignty, and tribal governments. Costs of the
14 training sessions shall be recouped through a fee charged to the
15 participants of each session. The department of personnel shall be
16 responsible for all of the administrative aspects of the training,
17 including the billing and collection of the fees for the training.

18 **Sec. 117.** 2009 c 564 s 122 (uncodified) is amended to read as
19 follows:

20 **FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS**

21	General Fund--State Appropriation (FY 2010)	((\$236,000))
22		<u>\$213,000</u>
23	General Fund--State Appropriation (FY 2011)	((\$224,000))
24		<u>\$239,000</u>
25	TOTAL APPROPRIATION	((\$460,000))
26		<u>\$452,000</u>

27 **Sec. 118.** 2009 c 564 s 123 (uncodified) is amended to read as
28 follows:

29 **FOR THE STATE TREASURER**

30	State Treasurer's Service Account--State	
31	Appropriation	((\$14,802,000))
32		<u>\$14,804,000</u>

33 **Sec. 119.** 2009 c 564 s 124 (uncodified) is amended to read as
34 follows:

1 **FOR THE STATE AUDITOR**

2	General Fund--State Appropriation (FY 2010)	((\$722,000))
3		<u>\$642,000</u>
4	General Fund--State Appropriation (FY 2011)	((\$729,000))
5		<u>\$446,000</u>
6	State Auditing Services Revolving	
7	Account--State Appropriation	((\$12,061,000))
8		<u>\$10,857,000</u>
9	TOTAL APPROPRIATION	((\$13,512,000))
10		<u>\$11,945,000</u>

11 The appropriations in this section are subject to the following
12 conditions and limitations:

13 (1) Audits of school districts by the division of municipal
14 corporations shall include findings regarding the accuracy of: (a)
15 Student enrollment data; and (b) the experience and education of the
16 district's certified instructional staff, as reported to the
17 superintendent of public instruction for allocation of state funding.

18 (2) ((~~\$722,000~~)) \$642,000 of the general fund--state appropriation
19 for fiscal year 2010 and ((~~\$729,000~~)) \$446,000 of the general fund--
20 state appropriation for fiscal year 2011 are provided solely for staff
21 and related costs to verify the accuracy of reported school district
22 data submitted for state funding purposes; conduct school district
23 program audits of state funded public school programs; establish the
24 specific amount of state funding adjustments whenever audit exceptions
25 occur and the amount is not firmly established in the course of regular
26 public school audits; and to assist the state special education safety
27 net committee when requested.

28 (3) Within the amounts appropriated in this section, the state
29 auditor shall continue to complete the annual audit of the state's
30 comprehensive annual financial report and the annual federal single
31 audit consistent with the auditing standards generally accepted in the
32 United States and the standards applicable to financial audits
33 contained in government auditing standards, issued by the comptroller
34 general of the United States, and OMB circular A-133, audits of states,
35 local governments, and nonprofit organizations.

36 (4) The legislature finds that the major changes in personnel
37 funding in this budget and the long term effects of the ongoing
38 economic recession combine with structural changes in the nature of

1 work and employment in many state agencies to require a continuing
 2 review of the workforce examination begun under chapter 534, Laws of
 3 2009 (exempt employment practices). The legislature notes the ongoing
 4 management reforms of the Washington management service being
 5 undertaken by the department of personnel, and anticipates a continuing
 6 legislative committee examination of the architecture and cost of the
 7 state's career and executive workforce. To that end, the office of
 8 state auditor is invited to provide by September 1, 2010, a general
 9 survey of new and best practices for executive and career workforce
 10 management now in use by other states and relevant industries.

11 (5) The executive ethics board must produce a report by the end of
 12 the calendar year for the legislature regarding performance measures on
 13 the efficiency and effectiveness of the board, as well as on
 14 performance measures to measure and monitor the ethics and integrity of
 15 all state agencies.

16 **Sec. 120.** 2010 c 3 s 102 (uncodified) is amended to read as
 17 follows:

18 **FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

19	General Fund--State Appropriation (FY 2010)	(((\$168,000))
20		<u>\$165,000</u>
21	General Fund--State Appropriation (FY 2011)	(((\$209,000))
22		<u>\$206,000</u>
23	TOTAL APPROPRIATION	(((\$377,000))
24		<u>\$371,000</u>

25 **Sec. 121.** 2010 c 3 s 103 (uncodified) is amended to read as
 26 follows:

27 **FOR THE ATTORNEY GENERAL**

28	General Fund--State Appropriation (FY 2010)	(((\$5,285,000))
29		<u>\$5,732,000</u>
30	General Fund--State Appropriation (FY 2011)	(((\$5,614,000))
31		<u>\$5,763,000</u>
32	General Fund--Federal Appropriation	\$4,026,000
33	New Motor Vehicle Arbitration Account--State	
34	Appropriation	\$1,346,000
35	Legal Services Revolving Account--State	
36	Appropriation	(((\$221,515,000))

1		<u>\$49,889,000</u>
2	General Fund--State Appropriation (FY 2011)	((\$51,813,000))
3		<u>\$40,417,000</u>
4	General Fund--Federal Appropriation	((\$384,540,000))
5		<u>\$381,915,000</u>
6	General Fund--Private/Local Appropriation	\$16,266,000
7	Public Works Assistance Account--State Appropriation	\$2,990,000
8	Tourism Development and Promotion Account--State	
9	Appropriation	\$1,003,000
10	<u>State Building Construction Account--State</u>	
11	<u>Appropriation</u>	<u>\$295,000</u>
12	Drinking Water Assistance Administrative	
13	Account--State Appropriation	\$439,000
14	Lead Paint Account--State Appropriation	((\$18,000))
15		<u>\$35,000</u>
16	Building Code Council Account--State Appropriation	\$1,286,000
17	Home Security Fund Account--State Appropriation	((\$23,498,000))
18		<u>\$27,298,000</u>
19	Affordable Housing for All Account--State Appropriation . .	\$11,900,000
20	Washington Auto Theft Prevention Authority	
21	Account--State Appropriation	\$300,000
22	Independent Youth Housing Account--State	
23	Appropriation	((\$80,000))
24		<u>\$220,000</u>
25	<u>County Research Services Account--State Appropriation</u>	<u>\$469,000</u>
26	Community Preservation and Development Authority	
27	Account--State Appropriation	\$350,000
28	Financial Fraud and Identity Theft Crimes Investigation	
29	and Prosecution Account--State Appropriation	\$1,166,000
30	Low-Income Weatherization Assistance Account--State	
31	Appropriation	((\$8,382,000))
32		<u>\$6,883,000</u>
33	<u>City and Town Research Services Account--State</u>	
34	<u>Appropriation</u>	<u>\$2,257,000</u>
35	Manufacturing Innovation and Modernization	
36	Account--State Appropriation	((\$246,000))
37		<u>\$230,000</u>
38	Community and Economic Development Fee	

1	Account--State Appropriation	(((\$1,833,000)))
2		<u>\$6,935,000</u>
3	<u>Minority and Women's Enterprises Account--State</u>	
4	<u>Appropriation</u>	<u>\$1,804,000</u>
5	Washington Housing Trust Account--State Appropriation . . .	\$15,372,000
6	<u>Prostitution Prevention and Intervention Account--</u>	
7	<u>State Appropriation</u>	<u>\$125,000</u>
8	Public Facility Construction Loan Revolving	
9	Account--State Appropriation\$755,000
10	TOTAL APPROPRIATION	(((\$573,252,000)))
11		<u>\$570,599,000</u>

12 The appropriations in this section are subject to the following
13 conditions and limitations:

14 (1) ((~~\$2,520,000~~)) \$2,270,000 of the general fund--state
15 appropriation for fiscal year 2010 and ((~~\$2,521,000~~)) \$2,445,000 of the
16 general fund--state appropriation for fiscal year 2011 are provided
17 solely for a contract with the Washington technology center for work
18 essential to the mission of the Washington technology center and
19 conducted in partnership with universities.

20 (2) Repayments of outstanding loans granted under RCW 43.63A.600,
21 the mortgage and rental assistance program, shall be remitted to the
22 department, including any current revolving account balances. The
23 department shall collect payments on outstanding loans, and deposit
24 them into the state general fund. Repayments of funds owed under the
25 program shall be remitted to the department according to the terms
26 included in the original loan agreements.

27 (3) \$100,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$100,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely to implement section 2(7) of
30 Engrossed Substitute House Bill No. 1959 (land use and transportation
31 planning for marine container ports).

32 (4) \$102,000 of the building code council account--state
33 appropriation is provided solely for the implementation of sections 3
34 and 7 of Engrossed Second Substitute Senate Bill No. 5854 (built
35 environment pollution). If sections 3 and 7 of the bill are not
36 enacted by June 30, 2009, the amounts provided in this subsection shall
37 lapse.

1 (5)(a) \$10,500,000 of the general fund--federal appropriation is
2 provided for training and technical assistance associated with low
3 income weatherization programs. Subject to federal requirements, the
4 department shall provide: (i) Up to \$4,000,000 to the state board for
5 community and technical colleges to provide workforce training related
6 to weatherization and energy efficiency; (ii) up to \$3,000,000 to the
7 Bellingham opportunity council to provide workforce training related to
8 energy efficiency and weatherization; and (iii) up to \$3,500,000 to
9 community-based organizations and to community action agencies
10 consistent with the provisions of Engrossed Second Substitute House
11 Bill No. 2227 (evergreen jobs act). Any funding remaining shall be
12 expended in project 91000013, weatherization, in the omnibus capital
13 appropriations act, Substitute House Bill No. 1216 (capital budget).

14 (b) \$6,787,000 of the general fund--federal appropriation is
15 provided solely for the state energy program, including not less than
16 \$5,000,000 to provide credit enhancements consistent with the
17 provisions of Engrossed Second Substitute Senate Bill No. 5649 (energy
18 efficiency in buildings).

19 (c) Of the general fund--federal appropriation the department shall
20 provide: \$14,500,000 to the Washington State University for the
21 purpose of making grants for pilot projects providing community-wide
22 urban, residential, and commercial energy efficiency upgrades
23 consistent with the provisions of Engrossed Second Substitute Senate
24 Bill No. 5649 (energy efficiency in buildings); \$500,000 to Washington
25 State University to conduct farm energy assessments. In contracting
26 with the Washington State University for the provision of these
27 services, the total administration of Washington State University and
28 the department shall not exceed 3 percent of the amounts provided.

29 (d) \$38,500,000 of the general fund--federal appropriation is
30 provided for deposit in the energy recovery act account to establish a
31 revolving loan program, consistent with the provisions of Engrossed
32 Substitute House Bill No. 2289 (expanding energy freedom program).

33 (e) \$10,646,000 of the general fund--federal appropriation is
34 provided pursuant to the energy efficiency and conservation block grant
35 under the American reinvestment and recovery act. The department may
36 use up to \$3,000,000 of the amount provided in this subsection to
37 provide technical assistance for energy programs administered by the
38 agency under the American reinvestment and recovery act.

1 (6) \$14,000 of the general fund--state appropriation for fiscal
2 year 2010 is provided solely for the implementation of Engrossed Second
3 Substitute Senate Bill No. 5560 (state agency climate leadership). If
4 the bill is not enacted by June 30, 2009, the amount provided in this
5 subsection shall lapse.

6 (7) \$22,400,000 of the general fund--federal appropriation is
7 provided solely for the justice assistance grant program and is
8 contingent upon the department transferring: \$1,200,000 to the
9 department of corrections for security threat mitigation, \$2,336,000 to
10 the department of corrections for offender reentry, \$1,960,000 to the
11 Washington state patrol for law enforcement activities, \$2,087,000 to
12 the department of social and health services, division of alcohol and
13 substance abuse for drug courts, and \$428,000 to the department of
14 social and health services for sex abuse recognition training. The
15 remaining funds shall be distributed by the department to local
16 jurisdictions.

17 (8) \$20,000 of the general fund--state appropriation for fiscal
18 year 2010 and \$20,000 of the general fund--state appropriation for
19 fiscal year 2011 are provided solely for a grant to KCTS public
20 television to support Spanish language programming and the V-me Spanish
21 language channel.

22 (9) \$500,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$500,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely for a grant to resolution
25 Washington to building statewide capacity for alternative dispute
26 resolution centers and dispute resolution programs that guarantee that
27 citizens have access to low-cost resolution as an alternative to
28 litigation.

29 (10) \$30,000 of the general fund--state appropriation for fiscal
30 year 2010 is provided solely for implementation of Engrossed Second
31 Substitute Senate Bill No. 6015 (commercialization of technology). If
32 the bill is not enacted by June 30, 2009, the amount provided in this
33 subsection shall lapse.

34 (11) By June 30, 2011, the department shall request information
35 that describes what jurisdictions have adopted, or are in the process
36 of adopting, plans that address RCW 36.70A.020 and helps achieve the
37 greenhouse gas emission reductions established in RCW 70.235.020. This

1 information request in this subsection applies to jurisdictions that
2 are required to review and if necessary revise their comprehensive
3 plans by December 1, 2011, in accordance with RCW 36.70A.130.

4 (12) During the 2009-11 fiscal biennium, the department shall allot
5 all of its appropriations subject to allotment by object, account, and
6 expenditure authority code to conform with the office of financial
7 management's definition of an option 2 allotment. For those funds
8 subject to allotment but not appropriation, the agency shall submit
9 option 2 allotments to the office of financial management.

10 (13) \$50,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$50,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for a grant for the state's
13 participation in the Pacific Northwest economic region.

14 (14) \$712,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$712,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely to the office of crime victims
17 advocacy. These funds shall be contracted with the 39 county
18 prosecuting attorneys' offices to support victim-witness services. The
19 funds must be prioritized to ensure a full-time victim-witness
20 coordinator in each county. The office may retain only the amount
21 currently allocated for this activity for administrative costs.

22 (15) \$306,000 of the general fund--state appropriation for fiscal
23 year 2010 and ~~(\$306,000)~~ \$275,000 of the general fund--state
24 appropriation for fiscal year 2011 are provided solely for a grant to
25 the retired senior volunteer program.

26 ~~(16) (~~\$65,000 of the general fund--state appropriation for fiscal~~~~
27 ~~year 2010 and ~~\$65,000 of the general fund--state appropriation for~~~~
28 ~~fiscal year 2011 are provided solely for a contract with a food~~
29 ~~distribution program for communities in the southwestern portion of the~~
30 ~~state and for workers impacted by timber and salmon fishing closures~~
31 ~~and reductions. The department may not charge administrative overhead~~
32 ~~or expenses to the funds provided in this subsection.~~

33 ~~(17))~~ \$371,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$371,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely to the northwest agriculture
36 business center.

37 ~~((18))~~ (17) The department shall administer its growth management

1 act technical assistance so that smaller cities receive proportionately
2 more assistance than larger cities or counties. (~~Pass-through grants~~
3 ~~shall continue to be funded under 2007-09 policy.~~

4 ~~(19))~~ (18) \$212,000 of the general fund--federal appropriation is
5 provided solely for implementation of Second Substitute House Bill No.
6 1172 (development rights transfer). If the bill is not enacted by June
7 30, 2009, the amount provided in this subsection shall lapse.

8 ~~((20))~~ (19) \$69,000 of the general fund--state appropriation for
9 fiscal year 2010 and \$66,000 of the general fund--state appropriation
10 for fiscal year 2011 are provided solely for implementation of
11 Engrossed Second Substitute House Bill No. 2227 (evergreen jobs act).
12 If the bill is not enacted by June 30, 2009, the amounts provided in
13 this subsection shall lapse.

14 ~~((21))~~ (20) \$350,000 of the community development and
15 preservation authority account--state appropriation is provided solely
16 for a grant to a community development authority established under
17 chapter 43.167 RCW. The community preservation and development's board
18 of directors may contract with nonprofit community organizations to aid
19 in mitigating the effects of increased public impact on urban
20 neighborhoods due to events in stadia that have a capacity of over
21 50,000 spectators.

22 ~~((22))~~ (21) \$300,000 of the Washington auto theft prevention
23 authority account--state appropriation is provided solely for a
24 contract with a community group to build local community capacity and
25 economic development within the state by strengthening political
26 relationships between economically distressed communities and
27 governmental institutions. The community group shall identify
28 opportunities for collaboration and initiate activities and events that
29 bring community organizations, local governments, and state agencies
30 together to address the impacts of poverty, political
31 disenfranchisement, and economic inequality on communities of color.
32 These funds must be matched by other nonstate sources on an equal
33 basis.

34 ~~((23))~~ (22) \$1,800,000 of the home security fund--state
35 appropriation is provided for transitional housing assistance or
36 partial payments for rental assistance under the independent youth
37 housing program.

1 ~~((24))~~ (23) \$5,000,000 of the home security fund--state
2 appropriation is provided solely for the operation, repair, and
3 staffing of shelters in the homeless family shelter program.

4 (24) \$265,000 of the general fund--state appropriation for fiscal
5 year 2010 and \$306,000 of the general fund--state appropriation for
6 fiscal year 2011 are provided solely for the Washington new Americans
7 program.

8 (25) \$453,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$522,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the Washington asset building
11 coalitions.

12 (26) Funding provided to microenterprise development organizations
13 for fiscal year 2011 shall not be reduced by more than ten percent from
14 funding levels in the 2009-11 operating budget.

15 (27) Within existing resources, the department of commerce shall
16 convene a work group that includes a representative designated by each
17 of the following: The department, the economic development commission,
18 the Washington technology center, the Spokane intercollegiate research
19 and technology institute, the University of Washington center for
20 commercialization and Washington State University's office of economic
21 development and global engagement. To better align the missions of
22 state supported entities conducting commercialization, the work group
23 shall prepare and submit a report to the legislature no later than
24 December 1, 2010, that identifies gaps and overlaps in programs,
25 evaluates strategies to reduce administrative overhead expenses, and
26 recommends changes which would amplify and accelerate innovation-driver
27 job creation in the state.

28 (28) \$3,555,000 of the general fund--state appropriation for fiscal
29 year 2010 and \$3,555,000 of the general fund--state appropriation for
30 fiscal year 2011 are provided solely for associate development
31 organizations.

32 (29) \$469,000 of the county research services account--state
33 appropriation and \$2,246,000 of the city and town research services--
34 state appropriation are provided solely for implementation of Engrossed
35 Second Substitute House Bill No. 2658 (refocusing department of
36 commerce). If the bill is not enacted by June 30, 2010, the amounts
37 provided in this subsection shall lapse.

1 (1) \$188,000 of the general fund--state appropriation for fiscal
2 year 2010 is provided solely for the implementation of Second
3 Substitute Senate Bill No. 5945 (Washington health partnership plan).

4 If the bill is not enacted by June 30, 2009, the amount provided in
5 this subsection shall lapse.

6 (2) The office of financial management shall conduct a study on
7 alternatives for consolidating or transferring activities and
8 responsibilities of the state lottery commission, state horse racing
9 commission, state liquor control board, and the state gambling
10 commission to achieve cost savings and regulatory efficiencies. In
11 conducting the study, the office of financial management shall consult
12 with the legislative fiscal committees. Further, the office of
13 financial management shall establish an advisory group to include, but
14 not be limited to, representatives of affected businesses, state
15 agencies or entities, local governments, and stakeholder groups. The
16 office of financial management shall submit a final report to the
17 governor and the legislative fiscal committees by November 15, 2009.

18 ~~(3) ((\$500,000 of the general fund--state appropriation for fiscal~~
19 ~~year 2010 is provided solely for a study of the feasibility of closing~~
20 ~~state institutional facilities and a plan on eliminating beds in the~~
21 ~~state institutional facility inventory. The office of financial~~
22 ~~management shall contract with consultants with expertise related to~~
23 ~~the subject matters included in this study. The office of financial~~
24 ~~management and the consultants shall consult with the department of~~
25 ~~social and health services, the department of corrections, stakeholder~~
26 ~~groups that represent the people served in these institutions, labor~~
27 ~~organizations that represent employees who work in these institutions~~
28 ~~and other persons or entities with expertise in the areas being~~
29 ~~studied.~~

30 ~~(a) For the purposes of this study, "state institutional~~
31 ~~facilities" means facilities operated by the department of corrections~~
32 ~~to house persons convicted of a criminal offense, Green Hill school and~~
33 ~~Maple Lane school operated by the department of social and health~~
34 ~~services -- juvenile rehabilitation administration, -- and -- residential~~
35 ~~habilitation centers operated by the department of social and health~~
36 ~~services.~~

37 ~~(b) In conducting this study, the consultants shall consider the~~
38 ~~following factors as appropriate:~~

1 ~~(i) The availability of alternate facilities including alternatives~~
2 ~~and opportunities for consolidation with other facilities, impacts on~~
3 ~~those alternate facilities, and any related capital costs;~~

4 ~~(ii) The cost of operating the facility, including the cost of~~
5 ~~providing services and the cost of maintaining or improving the~~
6 ~~physical plant of the facility;~~

7 ~~(iii) The geographic factors associated with the facility,~~
8 ~~including the impact of the facility on the local economy and the~~
9 ~~economic impact of its closure, and alternative uses for a facility~~
10 ~~recommended for closure;~~

11 ~~(iv) The costs associated with closing the facility, including the~~
12 ~~continuing costs following the closure of the facility;~~

13 ~~(v) Number and type of staff and the impact on the facility staff~~
14 ~~including other employment opportunities if the facility is closed;~~

15 ~~(vi) The savings that will accrue to the state from closure or~~
16 ~~consolidation of a facility and the impact any closure would have on~~
17 ~~funding the associated services; and~~

18 ~~(vii) For the residential habilitation centers, the impact on~~
19 ~~clients in the facility being recommended for closure and their~~
20 ~~families, including ability to get alternate services and impact on~~
21 ~~being moved to another facility.~~

22 ~~(c) The office of financial management shall submit a final report~~
23 ~~to the governor and the ways and means committees of the house of~~
24 ~~representatives and senate by November 1, 2009. The report shall~~
25 ~~provide a recommendation and a plan to eliminate 1,580 beds in the~~
26 ~~department of corrections facilities, 235 beds from juvenile~~
27 ~~rehabilitation facilities, and 250 funded beds in the residential~~
28 ~~habilitation centers through closure or consolidation of facilities.~~
29 ~~The report shall include an assessment of each facility studied, where~~
30 ~~and how the services should be provided, and any costs or savings~~
31 ~~associated with each recommendation. In considering the~~
32 ~~recommendations of the report, the governor and the legislature shall~~
33 ~~not consider closure of any state institutional facility unless the~~
34 ~~report recommended the facility for closure.)) \$25,000 of the general~~
35 ~~fund--state appropriation for fiscal year 2011 is provided solely for~~
36 ~~the office to contract with the Washington state quality award program~~
37 ~~to provide training for state managers and employees.~~

1 (4) \$50,000 of the general fund--state appropriation for fiscal
2 year 2011 is provided solely for implementation of Substitute House
3 Bill No. 1329 (child care center collective bargaining). If the bill
4 is not enacted by June 30, 2010, the amount provided in this subsection
5 shall lapse.

6 (5) \$50,000 of the general fund--state appropriation for fiscal
7 year 2011 is provided solely for implementation of Second Substitute
8 House Bill No. 3062 (language access providers). If the bill is not
9 enacted by June 30, 2010, the amount provided in this subsection shall
10 lapse.

11 (6) \$100,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$100,000 of the general fund--state appropriation for
13 fiscal year 2011 are provided solely for the office of financial
14 management to hire an independent consultant to conduct an assessment.
15 The consultant shall be agreed upon by a wide range of interested
16 stakeholders including organization leaders representing residents of
17 residential habilitation centers. The assessment shall include
18 interviews with all residential habilitation center residents or
19 guardians of residents to determine the optimum setting for these
20 individuals and shall include the option and choice to remain in a
21 residential habilitation center. The assessment shall note when the
22 recommendation of the consultant differs from the choice of the
23 individual. The assessment shall also determine service and placements
24 that are underfunded or underserved in community settings and determine
25 resources and options for funding sources necessary to adequately fund
26 community-based services for people with developmental disabilities.
27 The resulting report will be due to the legislature on December 1,
28 2010.

29 **Sec. 124.** 2009 c 564 s 131 (uncodified) is amended to read as
30 follows:

31 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

32 Administrative Hearings Revolving

33 Account--State Appropriation ((\$33,473,000))
34 \$33,494,000

35 **Sec. 125.** 2009 c 564 s 132 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF PERSONNEL**

2 Department of Personnel Service Account--State

3 Appropriation ((~~\$22,025,000~~))

4 \$20,262,000

5 Higher Education Personnel Services Account--State

6 Appropriation ((~~\$1,716,000~~))

7 \$1,578,000

8 TOTAL APPROPRIATION ((~~\$23,741,000~~))

9 \$21,840,000

10 The appropriations in this section are subject to the following
11 conditions and limitations:

12 (1) The department shall coordinate with the governor's office of
13 Indian affairs on providing the government-to-government training
14 sessions for federal, state, local, and tribal government employees.
15 The training sessions shall cover tribal historical perspectives, legal
16 issues, tribal sovereignty, and tribal governments. Costs of the
17 training sessions shall be recouped through a fee charged to the
18 participants of each session. The department shall be responsible for
19 all of the administrative aspects of the training, including the
20 billing and collection of the fees for the training.

21 (2) In coordination with efforts under section 119(4) of this act,
22 the department of personnel shall provide, by September 1, 2010, a
23 synopsis of current and recent survey data regarding employee
24 satisfaction and the department's overall assessment of career and
25 executive workforce management concerns.

26 **Sec. 126.** 2009 c 564 s 133 (uncodified) is amended to read as
27 follows:

28 **FOR THE WASHINGTON STATE LOTTERY**

29 Lottery Administrative Account--State

30 Appropriation ((~~\$27,776,000~~))

31 \$26,674,000

32 **Sec. 127.** 2009 c 564 s 134 (uncodified) is amended to read as
33 follows:

34 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

35 General Fund--State Appropriation (FY 2010) ((~~\$253,000~~))

36 \$249,000

1 General Fund--State Appropriation (FY 2011) ((\$260,000))
 2 \$255,000
 3 TOTAL APPROPRIATION ((\$513,000))
 4 \$504,000

5 **Sec. 128.** 2009 c 564 s 135 (uncodified) is amended to read as
 6 follows:

7 **FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**
 8 General Fund--State Appropriation (FY 2010) \$243,000
 9 General Fund--State Appropriation (FY 2011) ((\$244,000))
 10 \$235,000
 11 TOTAL APPROPRIATION ((\$487,000))
 12 \$478,000

13 **Sec. 129.** 2009 c 564 s 136 (uncodified) is amended to read as
 14 follows:

15 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS**
 16 Department of Retirement Systems Expense
 17 Account--State Appropriation ((\$49,504,000))
 18 \$48,600,000

19 The appropriation in this section is subject to the following
 20 conditions and limitations:

21 (1) \$148,000 of the department of retirement systems--state
 22 appropriation is provided solely for the administrative costs
 23 associated with implementation of Senate Bill No. 5303 (transferring
 24 members of retirement systems). If the bill is not enacted by June 30,
 25 2009, the amount provided in this subsection shall lapse.

26 (2) \$66,000 of the department of retirement systems expense
 27 account--state appropriation is provided for the department of
 28 retirement systems to make revisions to various administrative
 29 processes as necessary to implement Engrossed Second Substitute Senate
 30 Bill No. 5688 (registered domestic partners). If the bill is not
 31 enacted by June 30, 2009, the amount provided in this subsection shall
 32 lapse.

33 (3) \$12,000 of the department of retirement systems--state
 34 appropriation is provided solely for the administrative costs
 35 associated with implementation of Senate Bill No. 5542 or House Bill

1 No. 1678 (minimum disability benefits). If neither bill is enacted by
2 June 30, 2009, the amount provided in this subsection shall lapse.

3 (4) \$45,000 of the department of retirement systems expense
4 account--state appropriation is provided solely to implement Engrossed
5 Substitute House Bill No. 1445 (Washington state patrol retirement
6 system domestic partners). If the bill is not enacted by June 30,
7 2009, the amount provided in this subsection shall lapse.

8 (5) \$45,000 of the department of retirement systems expense
9 account--state appropriation is provided solely to implement Engrossed
10 House Bill No. 1616 (law enforcement officers' and firefighters'
11 retirement system plan 2 domestic partners). If the bill is not
12 enacted by June 30, 2009, the amount provided in this subsection shall
13 lapse.

14 (6) \$56,000 of the department of retirement systems expense
15 account--state appropriation is provided solely to implement House Bill
16 No. 1548 (military service credit purchases). If the bill is not
17 enacted by June 30, 2009, the amount provided in this subsection shall
18 lapse.

19 (7) \$35,000 of the department of retirement systems expense
20 account--state appropriation is provided solely to implement Substitute
21 House Bill No. 1953 (department of fish and wildlife enforcement
22 officers' past service credit). If the bill is not enacted by June 30,
23 2009, the amount provided in this subsection shall lapse.

24 (8) \$58,000 of the department of retirement systems expense
25 account--state appropriation is provided solely to implement House Bill
26 No. 1541 (plan 2/3 half-time educational employee service credit). If
27 the bill is not enacted by June 30, 2010, the amount provided in this
28 subsection shall lapse.

29 (9) \$32,000 of the department of retirement systems expense
30 account--state appropriation is provided solely to implement Engrossed
31 House Bill No. 2519 (public safety death benefits). If the bill is not
32 enacted by June 30, 2010, the amount provided in this subsection shall
33 lapse.

34 **Sec. 130.** 2010 c 3 s 108 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF REVENUE**

37 General Fund--State Appropriation (FY 2010) ((\$108,215,000))

1 license fraud). If the bill is not enacted by June 30, 2010, the
2 amount provided in this subsection shall lapse.

3 (5) \$96,000 of the fiscal year 2011 general fund--state
4 appropriation is provided to implement Engrossed Second Substitute
5 House Bill No. 1597 (administration of tax programs). If the bill is
6 not enacted by June 30, 2010, the amount provided in this subsection
7 shall lapse.

8 (6) \$1,645,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$2,735,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the department of revenue to
11 implement revenue legislation enacted in the 2010 legislative session.

12 **Sec. 131.** 2009 c 564 s 138 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATE INVESTMENT BOARD**

15 State Investment Board Expense Account--State
16 Appropriation ((\$29,581,000))
17 \$29,585,000

18 The appropriation in this section is subject to the following
19 conditions and limitations:

20 (1) \$2,471,000 of the state investment board expense account--state
21 appropriation is provided solely for development of a risk management
22 information system, with the intent that further expenditures for this
23 project be made only by appropriation.

24 (2) The state investment board shall include funding for any future
25 salary increases authorized under RCW 43.33A.100 in the agency's budget
26 request submitted in accordance with chapter 43.88 RCW in advance of
27 granting related salary increases. The biennial salary survey required
28 under RCW 43.33A.100 shall also be provided to the office of financial
29 management and to the fiscal committees of the legislature as part of
30 the state investment board's biennial budget submittal, and shall
31 include the total amount of compensation increases proposed, as well as
32 recommended salary ranges.

33 **Sec. 132.** 2010 c 3 s 109 (uncodified) is amended to read as
34 follows:

35 **FOR THE BOARD OF TAX APPEALS**

36 General Fund--State Appropriation (FY 2010) ((\$1,342,000))

1 \$1,346,000
 2 General Fund--State Appropriation (FY 2011) (~~(\$1,346,000)~~)
 3 \$1,342,000
 4 TOTAL APPROPRIATION \$2,688,000

5 **Sec. 133.** 2009 c 564 s 140 (uncodified) is amended to read as
 6 follows:

7 **FOR THE MUNICIPAL RESEARCH COUNCIL**
 8 County Research Services Account--State Appropriation . . (~~(\$940,000)~~)
 9 \$471,000
 10 City and Town Research Services--State
 11 Appropriation (~~(\$4,515,000)~~)
 12 \$2,258,000
 13 TOTAL APPROPRIATION (~~(\$5,455,000)~~)
 14 \$2,729,000

15 **Sec. 134.** 2009 c 564 s 141 (uncodified) is amended to read as
 16 follows:

17 **FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**
 18 OMWBE Enterprises Account--State Appropriation (~~(\$3,622,000)~~)
 19 \$1,808,000

20 **Sec. 135.** 2009 c 564 s 142 (uncodified) is amended to read as
 21 follows:

22 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**
 23 General Fund--State Appropriation (FY 2010) \$815,000
 24 General Fund--State Appropriation (FY 2011) (~~(\$811,000)~~)
 25 \$3,817,000
 26 General Fund--Federal Appropriation (~~(\$5,738,000)~~)
 27 \$2,956,000
 28 General Administration Service Account--State
 29 Appropriation (~~(\$35,044,000)~~)
 30 \$31,550,000
 31 TOTAL APPROPRIATION (~~(\$42,408,000)~~)
 32 \$39,138,000

33 The appropriations in this section are subject to the following
 34 conditions and limitations:

1 (1) \$28,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$28,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for the purposes of section 8 of
4 Engrossed Second Substitute Senate Bill No. 5854 (built environment
5 pollution). If section 8 of the bill is not enacted by June 30, 2009,
6 the amounts provided in this subsection shall lapse.

7 (2) \$3,545,000 of the general fund--state appropriation for fiscal
8 year 2011 is provided solely for the payment of facilities and services
9 charges, _ utilities _ and _ contracts _ charges, _ public _ and _ historic
10 facilities charges, and capital projects surcharges allocable to the
11 senate, _ house of representatives, _ statute law committee, _ and _ joint
12 legislative systems committee. The department shall allocate charges
13 attributable to these agencies among the affected revolving funds. The
14 department shall enter into an interagency agreement with these
15 agencies by July 1, 2010, to establish performance standards,
16 prioritization of preservation and capital improvement projects, and
17 quality assurance provisions for the delivery of services under this
18 subsection. The agencies named in this subsection shall continue to
19 enjoy all of the same rights of occupancy, support, and space use on
20 the capitol campus as historically established.

21 **Sec. 136.** 2010 c 3 s 110 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF INFORMATION SERVICES**

24	General Fund--State Appropriation (FY 2010)	\$1,086,000
25	General Fund--State Appropriation (FY 2011)	\$1,086,000
26	General Fund--Federal Appropriation	\$701,000
27	<u>General Fund--Private/Local Appropriation</u>	<u>\$178,000</u>
28	Data Processing Revolving Account--State	
29	Appropriation	(\$7,824,000)
30		<u>\$7,635,000</u>
31	TOTAL APPROPRIATION	(\$10,697,000)
32		<u>\$10,686,000</u>

33 The appropriations in this section are subject to the following
34 conditions and limitations:

35 (1) \$100,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$100,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for the purposes of Engrossed

1 Second Substitute House Bill No. 1701 (high-speed internet), including
2 expenditure for deposit to the community technology opportunity
3 account. If the bill is not enacted by June 30, 2009, the amounts
4 provided in this subsection shall lapse.

5 (2) The department shall implement some or all of the following
6 strategies to achieve savings on information technology expenditures
7 through: (a) Holistic virtualization strategies; (b) wide-area network
8 optimization strategies; (c) replacement of traditional telephone
9 communications systems with alternatives; and (d) migration of external
10 voice mail systems to internal voice mail systems coordinated by the
11 department. The department shall report to the office of financial
12 management and the fiscal committees of the legislature semiannually on
13 progress made towards the implementation of savings strategies and the
14 savings realized to date. No later than June 30, 2011, the department
15 shall submit a final report on its findings and savings realized to the
16 office of financial management and the fiscal committees of the
17 legislature.

18 (3) \$178,000 of the general fund--private/local appropriation is
19 provided solely for the implementation of the opportunity portal under
20 Second Substitute House Bill No. 2782 (security lifeline act). If the
21 bill is not enacted by June 30, 2010, the amount provided in this
22 subsection shall lapse.

23 **Sec. 137.** 2009 c 564 s 144 (uncodified) is amended to read as
24 follows:

25 **FOR THE INSURANCE COMMISSIONER**

26	General Fund--Federal Appropriation	\$1,943,000
27	Insurance Commissioners Regulatory Account--State	
28	Appropriation	((\$47,978,000))
29		<u>\$48,008,000</u>
30	TOTAL APPROPRIATION	((\$49,921,000))
31		<u>\$49,951,000</u>

32 The appropriations in this section are subject to the following
33 conditions and limitations:

34 (1) \$410,000 of the insurance commissioner's regulatory account
35 appropriation is provided solely to implement Substitute Senate Bill
36 No. 5480 (discount health plans). If the bill is not enacted by June
37 30, 2009, the amount provided in this subsection shall lapse.

1 (2) \$598,000 of the insurance commissioner's regulatory account
2 appropriation is provided solely to implement Substitute Senate Bill
3 No. 5195 (life settlements model act). If the bill is not enacted by
4 June 30, 2009, the amount provided in this subsection shall lapse.

5 (3) \$551,000 of the insurance commissioner's regulatory account
6 appropriation is provided solely to implement Second Substitute Senate
7 Bill No. 5346 (health care administration simplification). If the bill
8 is not enacted by June 30, 2009, the amount provided in this subsection
9 shall lapse.

10 (4) \$40,000 of the insurance commissioners regulatory account
11 appropriation is provided to implement Engrossed Substitute House Bill
12 No. 2560 (joint underwriting associations). If the bill is not enacted
13 by June 30, 2010, the amount provided in this subsection shall lapse.

14 **Sec. 138.** 2009 c 564 s 145 (uncodified) is amended to read as
15 follows:

16 **FOR THE BOARD OF ACCOUNTANCY**

17 Certified Public Accountants' Account--State

18 Appropriation ((~~\$3,016,000~~))
19 \$3,666,000

20 **Sec. 139.** 2009 c 564 s 147 (uncodified) is amended to read as
21 follows:

22 **FOR THE HORSE RACING COMMISSION**

23 Horse Racing Commission Operating Account--State

24 Appropriation ((~~\$5,123,000~~))
25 \$4,846,000

26 The appropriation in this section is subject to the following
27 conditions and limitations: Pursuant to RCW 43.135.055, the commission
28 is authorized to increase licensing fees during the 2009-2011 fiscal
29 biennium as necessary to support the appropriation in this section.

30 **Sec. 140.** 2009 c 564 s 148 (uncodified) is amended to read as
31 follows:

32 **FOR THE LIQUOR CONTROL BOARD**

33 Liquor Control Board Construction and Maintenance

34 Account--State Appropriation \$8,817,000
35 Liquor Revolving Account--State Appropriation ((~~\$200,506,000~~))

1 \$153,763,000
2 TOTAL APPROPRIATION ((~~\$209,323,000~~))
3 \$162,580,000

4 The appropriations in this section are subject to the following
5 conditions and limitations:

6 (1) \$1,306,000 of the liquor revolving account--state appropriation
7 is provided solely for the liquor control board to open five new state
8 stores.

9 (2) \$40,000 of the liquor revolving account--state appropriation is
10 provided solely for the liquor control board to open ten new contract
11 stores.

12 (3) \$3,059,000 of the liquor revolving account--state appropriation
13 is provided solely for the liquor control board to increase state and
14 local revenues from new retail strategies including opening nine state
15 stores on Sunday, opening state liquor stores on seven holidays,
16 opening six mall locations during the holiday season, and increasing
17 lottery sales.

18 (4) \$173,000 of the liquor revolving account--state appropriation
19 is provided solely for the Engrossed House Bill No. 2040 (beer and wine
20 regulation commission). If the bill is not enacted by June 30, 2009,
21 the amount provided in this subsection shall lapse.

22 (5) \$130,000 of the liquor revolving account appropriation is
23 provided to implement Substitute House Bill No. 2688 (beer and wine
24 tasting). If the bill is not enacted by June 30, 2010, the amount
25 provided in this subsection shall lapse.

26 (6) Within the amounts appropriated in this section, the liquor
27 control board shall monitor the tasting endorsement authorized by
28 Substitute House Bill No. 2688 (beer and wine tasting) and report to
29 the appropriate committees of the legislature by June 30, 2011, on the
30 enforcement of the endorsement. The report must include the number of
31 compliance checks conducted by the liquor board during tasting
32 activities, whether the checks were conducted with the knowledge of the
33 licensee, the number of compliance checks passed, the number and type
34 of notices of violation issued, the penalties imposed for the
35 violations, the number of complaints received about tasting activities,
36 and other information related to the enforcement of the endorsement.
37 If the bill is not enacted by June 30, 2010, the requirements of this
38 subsection shall be null and void.

1	Appropriation	\$615,000
2	Military Department Active State Service Account--Federal	
3	Appropriation	((\$200,000))
4		<u>\$592,000</u>
5	Worker and Community Right-to-Know Account--State	
6	Appropriation	\$341,000
7	Nisqually Earthquake Account--State Appropriation	((\$144,000))
8		<u>\$307,000</u>
9	Nisqually Earthquake Account--Federal Appropriation	((\$856,000))
10		<u>\$1,067,000</u>
11	TOTAL APPROPRIATION	((\$330,586,000))
12		<u>\$378,154,000</u>

13 The appropriations in this section are subject to the following
14 conditions and limitations:

15 (1) ((~~\$28,194,000~~)) \$28,326,000 of the disaster response account--
16 state appropriation and ((~~\$91,263,000~~)) \$114,496,000 of the disaster
17 response account--federal appropriation may be spent only on disasters
18 declared by the governor and with the approval of the office of
19 financial management. The military department shall submit a report
20 ((~~quarterly~~)) to the office of financial management and the legislative
21 fiscal committees on October 1st and February 1st of each year
22 detailing information on the disaster response account, including: (a)
23 The amount and type of deposits into the account; (b) the current
24 available fund balance as of the reporting date; and (c) the projected
25 fund balance at the end of the 2009-2011 biennium based on current
26 revenue and expenditure patterns.

27 (2) ((~~\$144,000~~)) \$307,000 of the Nisqually earthquake account--
28 state appropriation and ((~~\$856,000~~)) \$1,067,000 of the Nisqually
29 earthquake account--federal appropriation are provided solely for
30 response and recovery costs associated with the February 28, 2001,
31 earthquake. The military department shall submit a report
32 ((~~quarterly~~)) to the office of financial management and the legislative
33 fiscal committees on October 1st and February 1st of each year
34 detailing earthquake recovery costs, including: (a) Estimates of total
35 costs; (b) incremental changes from the previous estimate; (c) actual
36 expenditures; (d) estimates of total remaining costs to be paid; and
37 (e) estimates of future payments by biennium. This information shall
38 be displayed by fund, by type of assistance, and by amount paid on

1 behalf of state agencies or local organizations. The military
2 department shall also submit a report quarterly to the office of
3 financial management and the legislative fiscal committees detailing
4 information on the Nisqually earthquake account, including: (a) The
5 amount and type of deposits into the account; (b) the current available
6 fund balance as of the reporting date; and (c) the projected fund
7 balance at the end of the 2009-2011 biennium based on current revenue
8 and expenditure patterns.

9 (3) \$85,000,000 of the general fund--federal appropriation is
10 provided solely for homeland security, subject to the following
11 conditions:

12 (a) Any communications equipment purchased by local jurisdictions
13 or state agencies shall be consistent with standards set by the
14 Washington state interoperability executive committee; and

15 (b) The department shall submit (~~(a quarterly)~~) an annual report to
16 the office of financial management and the legislative fiscal
17 committees detailing the governor's domestic security advisory group
18 recommendations; homeland security revenues and expenditures, including
19 estimates of total federal funding for the state; and incremental
20 changes from the previous estimate(~~(7-planned-and-actual-homeland~~
21 ~~security-expenditures-by-the-state-and-local-governments-with-this~~
22 ~~federal-funding; - and - matching - or - accompanying - state - or - local~~
23 ~~expenditures; and~~

24 ~~(c) The department shall submit a report by December 1st of each~~
25 ~~year to the office of financial management and the legislative fiscal~~
26 ~~committees detailing homeland security revenues and expenditures for~~
27 ~~the previous fiscal year by county and legislative district)).~~

28 (4) \$500,000 of the general fund--state appropriation for fiscal
29 year 2010 (~~(and \$500,000 of the general fund--state appropriation for~~
30 ~~fiscal year 2011 are))~~ is provided solely for the military department
31 to contract with the Washington information network 2-1-1 to operate a
32 statewide 2-1-1 system. The department (~~(shall)~~) may not provide the
33 entire amount for 2-1-1 and shall use any of the funds for
34 administrative purposes.

35 **Sec. 143.** 2009 c 564 s 152 (uncodified) is amended to read as
36 follows:

1 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

2 General Fund--State Appropriation (FY 2010) ((~~\$3,128,000~~))
3 \$2,667,000

4 General Fund--State Appropriation (FY 2011) ((~~\$3,130,000~~))
5 \$2,734,000

6 Higher Education Personnel Services Account--State
7 Appropriation \$250,000

8 Department of Personnel Service Account--State
9 Appropriation \$3,290,000

10 TOTAL APPROPRIATION ((~~\$9,548,000~~))
11 \$8,941,000

12 The appropriations in this section are subject to the following
13 conditions and limitations:

14 (1) \$50,000 of the general fund--state appropriation for fiscal
15 year 2011 is provided solely for implementation of Substitute House
16 Bill No. 1329 (child care center bargaining). If the bill is not
17 enacted by June 30, 2010, the amounts provided in this subsection shall
18 lapse.

19 (2) \$50,000 of the general fund--state appropriation for fiscal
20 year 2011 is provided solely for implementation of Second Substitute
21 House Bill No. 3062 (language access provider bargaining). If the bill
22 is not enacted by June 30, 2010, the amounts provided in this
23 subsection shall lapse.

24 **Sec. 144.** 2010 c 3 s 112 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

27 General Fund--State Appropriation (FY 2010) \$1,371,000
28 General Fund--State Appropriation (FY 2011) ((~~\$1,349,000~~))
29 \$1,149,000

30 General Fund--Federal Appropriation ((~~\$1,653,000~~))
31 \$2,303,000

32 General Fund--Private/Local Appropriation \$14,000

33 Historical and Archaeological Geographic System
34 Account--State Appropriation \$167,000

35 TOTAL APPROPRIATION ((~~\$4,387,000~~))
36 \$5,004,000

1 (WMIP), the department may combine and transfer such medicaid funds
2 appropriated under sections 204, 206, 208, and 209 of this act as may
3 be necessary to finance a unified health care plan for the WMIP program
4 enrollment. The WMIP pilot projects shall not exceed a daily
5 enrollment of 6,000 persons, nor expand beyond one county, during the
6 2009-2011 biennium. The amount of funding assigned to the pilot
7 projects from each program may not exceed the average per capita cost
8 assumed in this act for individuals covered by that program,
9 actuarially adjusted for the health condition of persons enrolled in
10 the pilot project, times the number of clients enrolled in the pilot
11 project. In implementing the WMIP pilot projects, the department may:
12 (a) Withhold from calculations of "available resources" as set forth in
13 RCW 71.24.025 a sum equal to the capitated rate for individuals
14 enrolled in the pilots; and (b) employ capitation financing and risk-
15 sharing arrangements in collaboration with health care service
16 contractors licensed by the office of the insurance commissioner and
17 qualified to participate in both the medicaid and medicare programs.
18 The department shall conduct an evaluation of the WMIP, measuring
19 changes in participant health outcomes, changes in patterns of service
20 utilization, participant satisfaction, participant access to services,
21 and the state fiscal impact.

22 (5) The appropriations to the department of social and health
23 services in this act shall be expended for the programs and in the
24 amounts specified in this act. However, after May 1, 2010, unless
25 specifically prohibited by this act, the department may transfer
26 general fund--state appropriations for fiscal year 2010 among programs
27 after approval by the director of financial management. The director
28 of financial management shall notify the appropriate fiscal committees
29 of the senate and house of representatives in writing seven days prior
30 to approving any allotment modifications or transfers under this
31 subsection. The written notification shall include a narrative
32 explanation and justification of the changes, along with expenditures
33 and allotments by budget unit and appropriation, both before and after
34 any allotment modifications or transfers.

35 (6) The legislature finds that medicaid payment rates, as
36 calculated by the department pursuant to the appropriations in this
37 act, bear a reasonable relationship to the costs incurred by
38 efficiently and economically operated facilities for providing quality

1 services and will be sufficient to enlist enough providers so that care
2 and services are available to the extent that such care and services
3 are available to the general population in the geographic area. The
4 legislature finds that cost reports, payment data from the federal
5 government, historical utilization, economic data, and clinical input
6 constitute reliable data upon which to determine the payment rates.

7 **Sec. 202.** 2010 c 3 s 201 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY**
10 **SERVICES PROGRAM**

11	General Fund--State Appropriation (FY 2010)	((\$314,698,000))
12		<u>\$314,520,000</u>
13	General Fund--State Appropriation (FY 2011)	((\$316,181,000))
14		<u>\$307,336,000</u>
15	General Fund--Federal Appropriation	((\$494,889,000))
16		<u>\$506,148,000</u>
17	General Fund--Private/Local Appropriation	((\$828,000))
18		<u>\$3,324,000</u>
19	Home Security Fund Appropriation	\$8,389,000
20	Domestic Violence Prevention Account--State	
21	Appropriation	\$1,154,000
22	Education Legacy Trust Account--State Appropriation	\$725,000
23	TOTAL APPROPRIATION	((\$1,136,864,000))
24		<u>\$1,141,596,000</u>

25 The appropriations in this section are subject to the following
26 conditions and limitations:

27 (1) ~~((~~\$5,563,000~~ of the general fund state appropriation for~~
28 ~~fiscal year 2010 and \$5,563,000 of the general fund state~~
29 ~~appropriation for fiscal year 2011 are provided solely for intensive~~
30 ~~family preservation services as defined in RCW 74.14C.010 and for~~
31 ~~evidence based services that prevent out of home placement and reduce~~
32 ~~length of stay in the child welfare system.~~

33 ~~(2) \$993,000))~~ \$976,000 of the general fund--state appropriation
34 for fiscal year 2010 and ~~((~~\$993,000~~))~~ \$799,000 of the general fund--
35 state appropriation for fiscal year 2011 are provided solely to
36 contract for the operation of one pediatric interim care facility. The
37 facility shall provide residential care for up to ~~((seventeen))~~

1 fourteen children through two years of age. Seventy-five percent of
2 the children served by the facility must be in need of special care as
3 a result of substance abuse by their mothers. The facility shall also
4 provide on-site training to biological, adoptive, or foster parents.
5 The facility shall provide at least three months of consultation and
6 support to parents accepting placement of children from the facility.
7 The facility may recruit new and current foster and adoptive parents
8 for infants served by the facility. The department shall not require
9 case management as a condition of the contract.

10 ~~((3) - \$375,000))~~ (2) - \$369,000 of the general fund--state
11 appropriation for fiscal year 2010, ~~((375,000))~~ \$366,000 of the
12 general fund--state appropriation for fiscal year 2011, and
13 ~~((322,000))~~ \$316,000 of the general fund--federal appropriation are
14 provided solely for up to three nonfacility-based programs for the
15 training, consultation, support, and recruitment of biological, foster,
16 and adoptive parents of children through age three in need of special
17 care as a result of substance abuse by their mothers, except that each
18 program may serve up to three medically fragile nonsubstance-abuse-
19 affected children. In selecting nonfacility-based programs, preference
20 shall be given to programs whose federal or private funding sources
21 have expired or that have successfully performed under the existing
22 pediatric interim care program.

23 ~~((4) - \$2,500,000 - of - the - general - fund - state - appropriation - for~~
24 ~~fiscal - year - 2010 - and - \$2,500,000 - of - the - general - fund - state~~
25 ~~appropriation - for - fiscal - year - 2011 - are - provided - solely - for - secure~~
26 ~~crisis - residential - centers. - Within - appropriated - amounts, - the~~
27 ~~department - shall - collaborate - with - providers - to - maintain - no - less - than~~
28 ~~forty - five - beds - that - are - geographically - representative - of - the - state.~~
29 ~~The - department - shall - examine - current - secure - crisis - residential - staffing~~
30 ~~requirements, - flexible - payment - options, - center - specific - waivers, - and~~
31 ~~other - appropriate - methods - to - accomplish - this - outcome.~~

32 ~~(5))~~ (3) A maximum of ~~((76,831,000))~~ \$70,084,000 of the general
33 fund--state appropriations and ~~((56,901,000))~~ \$53,485,000 of the
34 general fund--federal appropriations for the 2009-11 biennium shall be
35 expended for behavioral rehabilitative services and these amounts are
36 provided solely for this purpose. The department shall work with
37 behavioral rehabilitative service providers to safely keep youth with
38 emotional, behavioral, or medical needs at home, with relatives, or

1 with other permanent placement resources and decrease the length of
2 ((stay)) service through improved emotional, behavioral, or medical
3 outcomes for children in behavioral rehabilitative services in order to
4 achieve the appropriated levels.

5 (a) Contracted providers shall act in good faith and accept the
6 hardest to ((place)) serve children, to the greatest extent possible,
7 in order to improve their emotional, behavioral, or medical conditions.

8 (b) The department and the contracted provider shall mutually agree
9 and establish an exit date for when the child is to exit the behavioral
10 rehabilitative service provider. The department and the contracted
11 provider should mutually agree, to the greatest extent possible, on a
12 viable placement for the child to go to once the child's treatment
13 process has been completed. The child shall exit only when the
14 emotional, behavioral, or medical condition has improved or if the
15 provider has not shown progress toward the outcomes specified in the
16 signed contract at the time of exit. This subsection (b) does not
17 prevent or eliminate the department's responsibility for removing the
18 child from the provider if the child's emotional, behavioral, or
19 medical condition worsens or is threatened.

20 (c) The department is encouraged to use performance-based contracts
21 with incentives directly tied to outcomes described in this section.
22 The contracts should incentivize contracted providers to accept the
23 hardest to ((place)) serve children and incentivize improvement in
24 children's emotional, mental, and medical well-being within the
25 established exit date. The department is further encouraged to
26 increase the use of behavioral rehabilitative service group homes, wrap
27 around services to facilitate and support placement of youth at home
28 with relatives, or other permanent resources, and other means to
29 control expenditures.

30 (d) The total foster care per capita amount shall not increase more
31 than four percent in the 2009-11 biennium and shall not include
32 behavioral rehabilitative service.

33 ((+6)) (4) Within amounts provided for the foster care and
34 adoption support programs, the department shall control reimbursement
35 decisions for foster care and adoption support cases such that the
36 aggregate average cost per case for foster care and for adoption
37 support does not exceed the amounts assumed in the projected caseload
38 expenditures.

1 (~~(7)~~ — Within — amounts — appropriated — in — this — section,) (5)
2 \$14,843,000 of the general fund--state appropriation for fiscal year
3 2011 and \$6,368,000 of the general fund--federal appropriation are
4 provided solely for the department to provide contracted prevention and
5 early intervention services. The legislature recognizes the need for
6 flexibility as the department transitions to performance-based
7 contracts. The following services are included in the prevention and
8 early intervention block grant: Crisis family intervention services,
9 family preservation services, intensive family preservation services,
10 evidence-based programs, public health nurses, and early family support
11 services. The legislature intends for the department to maintain and
12 build on existing evidence-based and research-based programs with the
13 goal of utilizing contracted prevention and intervention services to
14 keep children safe at home and to safely reunify families. Priority
15 shall be given to proven intervention models, including evidence-based
16 prevention and early intervention programs identified by the Washington
17 state institute for public policy and the department. The department
18 shall include information on the number, type, and outcomes of the
19 evidence-based programs being implemented in its reports on child
20 welfare reform efforts and shall provide the legislature and governor
21 a report regarding the allocation of resources in this subsection by
22 September 30, 2010. The department shall expend federal funds under
23 this subsection in compliance with federal regulations.

24 (~~(8)~~ — \$37,000) (6) \$36,000 of the general fund--state
25 appropriation for fiscal year 2010, (~~(\$37,000)~~) \$36,000 of the general
26 fund--state appropriation for fiscal year 2011, and (~~(\$32,000)~~) \$31,000
27 of the general fund--federal appropriation are provided solely for the
28 implementation of chapter 465, Laws of 2007 (child welfare).

29 (~~(9)~~ ~~\$125,000 of the general fund--state appropriation for fiscal~~
30 ~~year 2010 and \$125,000 of the general fund--state appropriation for~~
31 ~~fiscal year 2011 are provided solely for continuum of care services.~~
32 ~~\$100,000 of this amount is for Casey family partners and \$25,000 of~~
33 ~~this amount is for volunteers of America crosswalk in fiscal year 2010.~~
34 ~~\$100,000 of this amount is for Casey family partners and \$25,000 of~~
35 ~~this amount is for volunteers of America crosswalk in fiscal year 2011.~~

36 (~~(10)~~ — \$616,000) (7) \$1,904,000 of the general fund--state
37 appropriation for fiscal year 2010, (~~(\$616,000)~~) \$1,832,000 of the
38 general fund--state appropriation for fiscal year 2011, and

1 (~~(\$368,000)~~) \$357,000 of the general fund--federal appropriation are
2 provided solely to contract with medical professionals for
3 comprehensive safety assessments of high-risk families and for foster
4 care assessments. The safety assessments will use validated assessment
5 tools to guide intervention decisions through the identification of
6 additional safety and risk factors. (~~(\$800,000 of this amount is for)~~)
7 The department will maintain the availability of comprehensive foster
8 care assessments and follow up services for children in out-of-home
9 care who do not have permanent plans, comprehensive safety assessments
10 for families receiving in-home child protective services or family
11 voluntary services (~~(.---\$800,000 of this amount is for)~~), and
12 comprehensive safety assessments (~~(of)~~) for families with an infant age
13 birth to fifteen days where the infant was, at birth, diagnosed as
14 substance exposed and the department received an intake referral
15 related to the infant due to the substance exposure. The department
16 must consolidate contracts, streamline administration, and explore
17 efficiencies to achieve savings.

18 (~~((11)-\$7,970,000)~~) (8) \$7,833,000 of the general fund--state
19 appropriation for fiscal year 2010, (~~(\$7,711,000)~~) \$6,521,000 of the
20 general fund--state appropriation for fiscal year 2011, and
21 (~~(\$5,177,000)~~) \$4,820,000 of the general fund--federal appropriation
22 are provided solely for court-ordered supervised visits between parents
23 and dependent children and for sibling visits. The department shall
24 work collaboratively with the juvenile dependency courts and revise the
25 supervised visit reimbursement procedures to stay within appropriations
26 without impeding reunification outcomes between parents and dependent
27 children. The department shall report to the legislative fiscal
28 committees (~~(quarterly)~~) on September 30, 2010, and December 30, 2010,
29 the number of children in foster care who receive supervised visits,
30 their frequency, length of time of each visit, and whether
31 reunification is attained.

32 (~~((12)-\$1,789,000)~~) (9) \$1,753,000 of the home security fund--state
33 appropriation is provided solely for street youth program services.

34 (~~((13)-\$1,584,000)~~) (10) \$1,557,000 of the general fund--state
35 appropriation for fiscal year 2010, (~~(\$1,584,000)~~) \$1,548,000 of the
36 general fund--state appropriation for fiscal year 2011, and
37 (~~(\$1,586,000)~~) \$1,554,000 of the general fund--federal appropriation
38 are provided solely for the department to recruit foster parents. The

1 recruitment efforts shall include collaborating with community-based
2 organizations and current or former foster parents to recruit foster
3 parents.

4 ~~((14))~~ (11) \$493,000 of the general fund--state appropriation for
5 fiscal year 2010, \$303,000 of the general fund--state appropriation for
6 fiscal year 2011, \$466,000 of the general fund--private/local
7 appropriation, and \$725,000 of the education legacy trust account--
8 state appropriation ~~((is))~~ are provided solely for children's
9 administration to contract with an educational advocacy provider with
10 expertise in foster care educational outreach. Funding is provided
11 solely for contracted education coordinators to assist foster children
12 in succeeding in K-12 and higher education systems. Funding shall be
13 prioritized to regions with high numbers of foster care youth and/or
14 regions where backlogs of youth that have formerly requested
15 educational outreach services exist. The department shall utilize
16 private matching funds to maintain educational advocacy services.

17 ~~((15) -- \$1,300,000 -- of -- the -- home -- security -- fund -- account -- state~~
18 ~~appropriation is provided solely for HOPE beds.~~

19 ~~(16) -- \$5,300,000 -- of -- the -- home -- security -- fund -- account -- state~~
20 ~~appropriation is provided solely for the crisis residential centers.~~

21 ~~(17))~~ (12) The appropriations in this section reflect reductions
22 in the appropriations for the children's administration administrative
23 expenses. It is the intent of the legislature that these reductions
24 shall be achieved, to the greatest extent possible, by reducing those
25 administrative costs that do not affect direct client services or
26 direct service delivery or programs.

27 ~~((18))~~ (13) Within the amounts appropriated in this section, the
28 department shall contract for a pilot project with family and community
29 networks in Whatcom county and up to four additional counties to
30 provide services. The pilot project shall be designed to provide a
31 continuum of services that reduce out-of-home placements and the
32 lengths of stay for children in out-of-home placement. The department
33 and the community networks shall collaboratively select the additional
34 counties for the pilot project and shall collaboratively design the
35 contract. Within the framework of the pilot project, the contract
36 shall seek to maximize federal funds. The pilot project in each county
37 shall include the creation of advisory and management teams which
38 include members from neighborhood-based family advisory committees,

1 residents, parents, youth, providers, and local and regional department
2 staff. The Whatcom county team shall facilitate the development of
3 outcome-based protocols and policies for the pilot project and develop
4 a structure to oversee, monitor, and evaluate the results of the pilot
5 projects. The department shall report the costs and savings of the
6 pilot project to the appropriate committees of the legislature by
7 November 1 of each year.

8 ~~((+19))~~ (14) \$157,000 of the general fund--state appropriation for
9 fiscal year 2010 and \$157,000 of the general fund--state appropriation
10 for fiscal year 2011 are provided solely for the department to contract
11 with a nonprofit entity for a reunification pilot project in Whatcom
12 and Skagit counties. The contract for the reunification pilot project
13 shall include a rate of \$46.16 per hour for evidence-based
14 interventions, in combination with supervised visits, to provide 3,564
15 hours of services to reduce the length of stay for children in the
16 child welfare system. The contract shall also include evidence-based
17 intensive parenting skills building services and family support case
18 management services for 38 families participating in the reunification
19 pilot project. The contract shall include the flexibility for the
20 nonprofit entity to subcontract with trained providers.

21 ~~((+20))~~ (15) \$303,000 of the general fund--state appropriation for
22 fiscal year 2010, \$418,000 of the general fund--state appropriation for
23 fiscal year 2011, and \$257,000 of the general fund--federal
24 appropriation are provided solely to implement Engrossed Substitute
25 House Bill No. 1961 (increasing adoptions act). If the bill is not
26 enacted by June 30, 2009, the amounts provided in this subsection shall
27 lapse.

28 ~~((+21) - \$100,000)~~ (16) \$98,000 of the general fund--state
29 appropriation for fiscal year 2010 and ~~((+\$100,000))~~ \$98,000 of the
30 general fund--state appropriation for fiscal year 2011 are provided
31 solely for the department to contract with an agency that is working in
32 partnership with, and has been evaluated by, the University of
33 Washington school of social work to implement promising practice
34 constellation hub models of foster care support.

35 ~~((+22))~~ (17) The legislature intends for the department to reduce
36 the time a child remains in the child welfare system. The department
37 shall establish a measurable goal and report progress toward meeting
38 that goal to the legislature by January 15 of each fiscal year of the

1 2009- 11 fiscal biennium. To the extent that actual caseloads exceed
2 those assumed in this section, it is the intent of the legislature to
3 address those issues in a manner similar to all other caseload
4 programs.

5 (18) \$715,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$715,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely for services provided through
8 children's advocacy centers.

9 (19) \$11,000 of the general fund--state appropriation for fiscal
10 year 2011 and \$3,000 of the general fund--federal appropriation are
11 provided solely to implement Second Substitute House Bill No. 3045
12 (confinement alternatives). If the bill is not enacted by June 30,
13 2010, the amounts provided in this subsection shall lapse.

14 (20) \$1,855,000 of the general fund--state appropriation for fiscal
15 year 2010, \$1,743,000 of the general fund--state appropriation for
16 fiscal year 2011, and \$4,599,000 of the general fund--federal
17 appropriation are provided solely for the department to contract for
18 medicaid treatment child care (MTCC) services. Children's
19 administration case workers, local public health nurses and case
20 workers from the temporary assistance for needy families program shall
21 refer children to MTCC services, as long as the children meet the
22 eligibility requirements as outlined in the Washington state plan for
23 the MTCC services.

24 (21) \$3,069,000 of the general fund--state appropriation for fiscal
25 year 2011, \$191,000 of the general fund--federal appropriation, and
26 \$3,300,000 of the home security fund--state appropriation are provided
27 solely for the following adolescent services: Secure crisis
28 residential centers, crisis residential centers, hope beds, and
29 responsible living skills program. The department shall work with
30 adolescent service providers to maintain availability of adolescent
31 services and maintain the delivery of services in a geographically
32 representative manner. The department shall examine current staffing
33 requirements, flexible payment options, center-specific licensing
34 waivers, and other appropriate methods to achieve savings and
35 streamline the delivery of services. The legislature intends to
36 provide flexibility to the department to improve outcomes and to
37 achieve more efficient utilization of existing resources, while meeting
38 the statutory goals of the adolescent service programs.

1 (3) \$3,716,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$3,716,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely to implement community juvenile
4 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile
5 code revisions). Funds provided in this subsection may be used solely
6 for community juvenile accountability grants, administration of the
7 grants, and evaluations of programs funded by the grants.

8 (4) (~~(\$1,506,000)~~) \$1,427,000 of the general fund--state
9 appropriation for fiscal year 2010 and (~~(\$1,506,000)~~) \$1,206,000 of the
10 general fund--state appropriation for fiscal year 2011 are provided
11 solely to implement alcohol and substance abuse treatment programs for
12 locally committed offenders. The juvenile rehabilitation
13 administration shall award these moneys on a competitive basis to
14 counties that submitted a plan for the provision of services approved
15 by the division of alcohol and substance abuse. The juvenile
16 rehabilitation administration shall develop criteria for evaluation of
17 plans submitted and a timeline for awarding funding and shall assist
18 counties in creating and submitting plans for evaluation.

19 (5) \$3,066,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$3,066,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided solely for grants to county juvenile
22 courts for the following programs identified by the Washington state
23 institute for public policy (institute) in its October 2006 report:
24 "Evidence-Based Public Policy Options to Reduce Future Prison
25 Construction, Criminal Justice Costs and Crime Rates": Functional
26 family therapy, multi-systemic therapy, aggression replacement training
27 and interagency coordination programs, or other programs with a
28 positive benefit-cost finding in the institute's report. County
29 juvenile courts shall apply to the juvenile rehabilitation
30 administration for funding for program-specific participation and the
31 administration shall provide grants to the courts consistent with the
32 per-participant treatment costs identified by the institute.

33 (6) \$1,287,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$1,287,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for expansion of the following
36 treatments and therapies in juvenile rehabilitation administration
37 programs identified by the Washington state institute for public policy
38 in its October 2006 report: "Evidence-Based Public Policy Options to

1 Reduce Future Prison Construction, Criminal Justice Costs and Crime
2 Rates": Multidimensional treatment foster care, family integrated
3 transitions, and aggression replacement training. The administration
4 may concentrate delivery of these treatments and therapies at a limited
5 number of programs to deliver the treatments in a cost-effective
6 manner.

7 (7)(a) For the fiscal year ending June 30, 2010, the juvenile
8 rehabilitation administration shall administer a block grant, rather
9 than categorical funding, of consolidated juvenile service funds,
10 community juvenile accountability act grants, the chemical dependency
11 disposition alternative funds, the special sex offender disposition
12 alternative funds, the mental health disposition alternative,
13 sentencing disposition alternative, and evidence-based program
14 expansion grants to juvenile courts for the purpose of serving youth
15 adjudicated in the juvenile justice system. Evidence-based programs,
16 based on the criteria established by the Washington state institute for
17 public policy, and disposition alternatives will be funding priorities.
18 Funds may be used for promising practices when approved by juvenile
19 rehabilitation administration, based on criteria established in
20 consultation with Washington state institute for public policy and the
21 juvenile courts.

22 By September 1, 2009, a committee with four members, in
23 consultation with Washington state institute for public policy, shall
24 develop a funding formula that takes into account the juvenile courts
25 average daily population of program eligible youth in conjunction with
26 the number of youth served in each approved evidence-based program or
27 disposition alternative. The committee shall have one representative
28 from the juvenile rehabilitation administration, one representative
29 from the office of financial management, one representative from the
30 office of the administrator of the courts, and one representative from
31 the juvenile courts. Decision making will be by majority rule.

32 By September 1, 2010, the Washington state institute for public
33 policy shall provide a report to the office of financial management and
34 the legislature on the administration of the block grant authorized in
35 this subsection. The report shall include the criteria used for
36 allocating the funding as a block grant and the participation targets
37 and actual participation in the programs subject to the block grant.

1 (b) By December 1, 2009, the committee established in (a) of this
2 subsection, in consultation with Washington state institute for public
3 policy, shall propose to the office of financial management and the
4 legislature changes in the process of funding and managing, including
5 accountability and information collection and dissemination, grants to
6 juvenile courts for serving youth adjudicated in the juvenile court
7 system use in the fiscal year ending June 30, 2011. The proposal shall
8 include, but is not limited to: A process of making a block grant of
9 funds consistent with (a) of this subsection; a program of data
10 collection and measurement criteria for receiving the funds which will
11 include targets of the number of youth served in identified evidence-
12 based programs and disposition alternatives in which the juvenile
13 courts and office of the administrator of the courts will have
14 responsibility for collecting and distributing information and
15 providing access to the data systems to the juvenile rehabilitation
16 administration and the Washington state institute for public policy
17 related to program and outcome data; and necessary changes to the
18 Washington administrative code.

19 (c) Within the funds provided for criminal justice analysis in
20 section 610(4) of this act, the Washington state institute for public
21 policy shall conduct an analysis of the costs per participant of
22 evidence-based programs by the juvenile courts and by December 1, 2009,
23 shall report the results of this analysis to the juvenile
24 rehabilitation administration, the juvenile courts, office of the
25 administrator of the courts, the office of financial management, and
26 the fiscal committees of the legislature.

27 (8) \$3,700,000 of the Washington auto theft prevention authority
28 account--state appropriation is provided solely for competitive grants
29 to community-based organizations to provide at-risk youth intervention
30 services, including but not limited to, case management, employment
31 services, educational services, and street outreach intervention
32 programs. Projects funded should focus on preventing, intervening, and
33 suppressing behavioral problems and violence while linking at-risk
34 youth to pro-social activities. The department may not expend more
35 than \$1,850,000 per fiscal year. The costs of administration must not
36 exceed four percent of appropriated funding for each grant recipient.
37 Each entity receiving funds must report to the juvenile rehabilitation

1 administration on the number and types of youth served, the services
2 provided, and the impact of those services upon the youth and the
3 community.

4 **Sec. 204.** 2010 c 3 s 203 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH**
7 **PROGRAM**

8 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

9	General Fund--State Appropriation (FY 2010)	((\$266,677,000))
10		<u>\$273,648,000</u>
11	General Fund--State Appropriation (FY 2011)	((\$296,619,000))
12		<u>\$280,421,000</u>
13	General Fund--Federal Appropriation	((\$463,180,000))
14		<u>\$518,344,000</u>
15	General Fund--Private/Local Appropriation	((\$14,868,000))
16		<u>\$20,091,000</u>
17	TOTAL APPROPRIATION	((\$1,041,344,000))
18		<u>\$1,092,504,000</u>

19 The appropriations in this subsection are subject to the following
20 conditions and limitations:

21 (a) \$113,689,000 of the general fund--state appropriation for
22 fiscal year 2010 and ((~~\$113,689,000~~)) \$114,158,000 of the general
23 fund--state appropriation for fiscal year 2011 are provided solely for
24 persons and services not covered by the medicaid program. This is a
25 reduction of \$11,606,000 each fiscal year from the nonmedicaid funding
26 that was allocated for expenditure by regional support networks during
27 fiscal year 2009 prior to supplemental budget reductions. This
28 \$11,606,000 reduction shall be distributed among regional support
29 networks proportional to each network's share of the total state
30 population. To the extent possible, levels of regional support network
31 spending shall be maintained in the following priority order: (i)
32 Crisis and commitment services; (ii) community inpatient services; and
33 (iii) residential care services, including personal care and emergency
34 housing assistance.

35 (b) \$16,900,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$16,900,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for the department and regional

1 support networks to contract for implementation of high-intensity
2 program for active community treatment (PACT) teams, and other proven
3 program approaches that the department concurs will enable the regional
4 support network to achieve significant reductions in the number of beds
5 the regional support network would otherwise need to use at the state
6 hospitals.

7 (c) The number of nonforensic beds allocated for use by regional
8 support networks at eastern state hospital shall be 192 per day. The
9 number of nonforensic beds allocated for use by regional support
10 networks at western state hospital shall be 617 per day during the
11 first quarter of fiscal year 2010, and 587 per day thereafter. Beds in
12 the program for adaptive living skills (PALS) are not included in the
13 preceding bed allocations. The department shall separately charge
14 regional support networks for persons served in the PALS program.

15 (d) From the general fund--state appropriations in this subsection,
16 the secretary of social and health services shall assure that regional
17 support networks reimburse the aging and disability services
18 administration for the general fund--state cost of medicaid personal
19 care services that enrolled regional support network consumers use
20 because of their psychiatric disability.

21 (e) \$4,582,000 of the general fund--state appropriation for fiscal
22 year 2010 and \$4,582,000 of the general fund--state appropriation for
23 fiscal year 2011 are provided solely for mental health services for
24 mentally ill offenders while confined in a county or city jail and for
25 facilitating access to programs that offer mental health services upon
26 release from confinement.

27 (f) The department is authorized to continue to contract directly,
28 rather than through contracts with regional support networks, for
29 children's long-term inpatient facility services.

30 (g) \$750,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$750,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely to continue performance-based
33 incentive contracts to provide appropriate community support services
34 for individuals with severe mental illness who were discharged from the
35 state hospitals as part of the expanding community services initiative.
36 These funds will be used to enhance community residential and support
37 services provided by regional support networks through other state and
38 federal funding.

1 (h) (~~(\$1,500,000 of the general fund state appropriation for~~
2 ~~fiscal year 2010 and \$1,500,000 of the general fund state~~
3 ~~appropriation for fiscal year 2011 are provided solely for the Spokane~~
4 ~~regional support network to implement services to reduce utilization~~
5 ~~and the census at eastern state hospital. Such services shall include:~~

6 ~~(i) High intensity treatment team for persons who are high~~
7 ~~utilizers of psychiatric inpatient services, including those with co-~~
8 ~~occurring disorders and other special needs;~~

9 ~~(ii) Crisis outreach and diversion services to stabilize in the~~
10 ~~community individuals in crisis who are at risk of requiring inpatient~~
11 ~~care or jail services;~~

12 ~~(iii) Mental health services provided in nursing facilities to~~
13 ~~individuals with dementia, and consultation to facility staff treating~~
14 ~~those individuals; and~~

15 ~~(iv) Services at the sixteen bed evaluation and treatment facility.~~

16 ~~At least annually, the Spokane regional support network shall~~
17 ~~assess the effectiveness of these services in reducing utilization at~~
18 ~~eastern state hospital, identify services that are not optimally~~
19 ~~effective, and modify those services to improve their effectiveness.~~

20 ~~(i))~~ The department shall return to the Spokane regional support
21 network fifty percent of the amounts assessed against the network
22 during the last six months of calendar year 2009 for state hospital
23 utilization in excess of its contractual limit. The regional support
24 network shall use these funds for operation during its initial months
25 of a new sixteen-bed evaluation and treatment facility that will enable
26 the network to reduce its use of the state hospital, and for diversion
27 and community support services for persons with dementia who would
28 likely otherwise require care at the state hospital.

29 ~~((+j))~~ (i) The department is directed to identify and implement
30 program efficiencies and benefit changes in its delivery of medicaid
31 managed-care services that are sufficient to operate within the state
32 and federal appropriations in this section. Such actions may include
33 but are not limited to methods such as adjusting the care access
34 standards; improved utilization management of ongoing, recurring, and
35 high-intensity services; and increased uniformity in provider payment
36 rates. The department shall ensure that the capitation rate
37 adjustments necessary to accomplish these efficiencies and changes are
38 distributed uniformly and equitably across all regional support

1 networks statewide. The department is directed to report to the
2 relevant legislative fiscal and policy committees at least thirty days
3 prior to implementing rate adjustments reflecting these changes.

4 ~~((k))~~ (j) In developing the new medicaid managed care rates under
5 which the public mental health managed care system will operate during
6 the five years beginning in fiscal year 2011, the department should
7 seek to estimate the reasonable and necessary cost of efficiently and
8 effectively providing a comparable set of medically necessary mental
9 health benefits to persons of different acuity levels regardless of
10 where in the state they live. Actual prior period spending in a
11 regional administrative area shall not be a key determinant of future
12 payment rates. The department shall report to the office of financial
13 management and to the relevant fiscal and policy committees of the
14 legislature on its proposed new waiver and mental health managed care
15 rate-setting approach by October 1, 2009, and again at least sixty days
16 prior to implementation of new capitation rates.

17 ~~((l))~~ (k) \$1,529,000 of the general fund--state appropriation for
18 fiscal year 2010 and \$1,529,000 of the general fund--state
19 appropriation for fiscal year 2011 are provided solely to reimburse
20 Pierce and Spokane counties for the cost of conducting 180-day
21 commitment hearings at the state psychiatric hospitals.

22 ~~((m))~~ (l) The legislature intends and expects that regional
23 support networks and contracted community mental health agencies shall
24 make all possible efforts to, at a minimum, maintain current
25 compensation levels of direct care staff. Such efforts shall include,
26 but not be limited to, identifying local funding that can preserve
27 client services and staff compensation, achieving administrative
28 reductions at the regional support network level, and engaging
29 stakeholders on cost-savings ideas that maintain client services and
30 staff compensation. For purposes of this section, "direct care staff"
31 means persons employed by community mental health agencies whose
32 primary responsibility is providing direct treatment and support to
33 people with mental illness, or whose primary responsibility is
34 providing direct support to such staff in areas such as client
35 scheduling, client intake, client reception, client records-keeping,
36 and facilities maintenance.

37 (m) \$952,000 of the general fund--state appropriation for fiscal
38 year 2011 is provided solely for the north central regional support

1 network (NCRSN) to improve the utilization of medicaid services in that
2 region. During the actuarial rate rebase, the actuaries determined
3 that north central's productivity was too low for funding to be
4 certified at the fiscal year 2010 rate ranges. The department shall
5 enter into a performance-based contract with NCRSN and shall contract
6 with an expert in the delivery of mental health services in a frontier
7 setting to provide technical assistance to NCRSN. Improvements in
8 utilization and cost effectiveness must be demonstrated by NCRSN on or
9 before June 30, 2011, or contracts for state medicaid and nonmedicaid
10 services may be subject to termination. The department shall submit
11 the following reports to the legislature:

12 (i) On or before June 30, 2010, a written plan of improvement for
13 NCRSN shall be submitted to the legislature. The plan must be
14 collaboratively developed by the department and NCRSN and must be
15 acknowledged by signatures from NCRSN, the providers in the network,
16 and the secretary of the department of social and health services. In
17 the plan, the department shall identify the contracting source for
18 technical assistance and shall include the implementation strategy and
19 schedule for providing technical assistance to the RSN. The plan must
20 also include a strategy for restructuring services, a process for
21 improving community outreach, and an outline on the methods for
22 collecting data and monitoring outcomes.

23 (ii) On or before August 15, 2010, the department shall submit to
24 the legislature a progress report. The report shall identify best
25 practices and areas of recommended changes to service delivery with a
26 detailed strategy for implementation. A timeline shall be included.
27 The report shall provide a progress update on tracking and monitoring
28 outcomes.

29 (iii) On or before January 10, 2011, the department shall provide
30 a progress report to include outcomes from July 1, 2010, through
31 November 30, 2010.

32 (n) \$179,000 of the general fund--state appropriation for fiscal
33 year 2011 is provided solely for the Chelan Douglas regional support
34 network to improve the utilization of medicaid services in that region.
35 During the actuarial rate rebase, the actuaries determined that the
36 Chelan Douglas regional support network's productivity was too low for
37 funding to be certified at the fiscal year 2010 rate ranges. Funding

1 provided in this subsection is sufficient to hold the RSN at the fiscal
2 year 2010 rate.

3 (o) \$5,223,000 of the general fund--private/local appropriation and
4 \$8,870,000 of the general fund--federal appropriation are provided
5 solely for services to medicaid eligible clients. County legislative
6 authorities may authorize a one-tenth of one percent sales tax and may
7 choose to use this funding for the delivery of either medicaid or
8 nonmedicaid chemical dependency or mental health treatment programs as
9 specified in RCW 82.14.460. Local funding that is authorized to serve
10 medicaid clients is matched with federal funding and becomes part of
11 the overall medicaid expenditures. When medicaid rates are rebased,
12 the increased level of medicaid expenditures due to local match becomes
13 the state's responsibility. An individual regional support network
14 will be allowed to leverage local funding into the medicaid rates on a
15 one-time basis only.

16 (p) \$1,287,000 of the general fund--state appropriation for fiscal
17 year 2011 is provided solely for either Second Substitute House Bill
18 No. 3076 (involuntary treatment act evaluations), or Second Substitute
19 House Bill No. 2882 (detaining persons with mental illness), or both.
20 Funding provided in this subsection shall be used for increases in 72-
21 hour detainments for persons with mental disorders and 14-day
22 involuntary commitments that result from modifications to the
23 involuntary treatment act, chapter 71.05 RCW. If neither bill is
24 enacted by June 30, 2010, the amounts provided in this subsection shall
25 lapse.

26 (2) INSTITUTIONAL SERVICES

27	General Fund--State Appropriation (FY 2010)	((\$120,637,000))
28		<u>\$120,508,000</u>
29	General Fund--State Appropriation (FY 2011)	((\$124,995,000))
30		<u>\$122,657,000</u>
31	General Fund--Federal Appropriation	((\$151,160,000))
32		<u>\$153,112,000</u>
33	General Fund--Private/Local Appropriation	((\$65,868,000))
34		<u>\$64,806,000</u>
35	TOTAL APPROPRIATION	((\$462,660,000))
36		<u>\$461,083,000</u>

37 The appropriations in this subsection are subject to the following
38 conditions and limitations:

1 (a) The state psychiatric hospitals may use funds appropriated in
2 this subsection to purchase goods and supplies through hospital group
3 purchasing organizations when it is cost-effective to do so.

4 (b) \$231,000 of the general fund--state appropriation for fiscal
5 year 2008 and \$231,000 of the general fund--state appropriation for
6 fiscal year 2009 are provided solely for a community partnership
7 between western state hospital and the city of Lakewood to support
8 community policing efforts in the Lakewood community surrounding
9 western state hospital. The amounts provided in this subsection (2)(b)
10 are for the salaries, benefits, supplies, and equipment for one full-
11 time investigator, one full-time police officer, and one full-time
12 community service officer at the city of Lakewood.

13 (c) \$45,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$45,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for payment to the city of
16 Lakewood for police services provided by the city at western state
17 hospital and adjacent areas.

18 (3) SPECIAL PROJECTS

19	General Fund--State Appropriation (FY 2010)	\$1,819,000
20	General Fund--State Appropriation (FY 2011)	((\$1,812,000))
21		<u>\$2,087,000</u>
22	General Fund--Federal Appropriation	((\$2,142,000))
23		<u>\$2,184,000</u>
24	TOTAL APPROPRIATION	((\$5,773,000))
25		<u>\$6,090,000</u>

26 The appropriations in this subsection are subject to the following
27 conditions and limitations:

28 (a) \$1,511,000 of the general fund--state appropriation for fiscal
29 year 2010 and \$1,511,000 of the general fund--state appropriation for
30 fiscal year 2011 are provided solely for children's evidence based
31 mental health services. Funding is sufficient to continue serving
32 children at the same levels as fiscal year 2009.

33 (b) \$150,000 of the general fund--state appropriation for fiscal
34 year 2011 and \$30,000 of the general fund--federal appropriation are
35 provided solely for the department to implement a performance-based
36 contract with north central regional support network per subsection
37 (1)(m) of this section. Funding provided in this subsection is

1 sufficient to purchase technical assistance for the RSN from a
2 contracted expert in the delivery of mental health services in a
3 frontier setting.

4 (c) \$125,000 of the general fund--state appropriation for fiscal
5 year 2011 and \$12,000 of the general fund--federal appropriation are
6 provided solely for Second Substitute House Bill No. 3076 (involuntary
7 treatment act evaluations). Funding provided in this subsection is
8 sufficient to provide training on new policies and protocols that
9 result from modifications to the involuntary treatment act, chapter
10 71.05 RCW. In addition, funding is provided for the department to
11 collaborate with the Washington institute of public policy in a search
12 for a validated mental health assessment tool. If the bill is not
13 enacted by June 30, 2010, the amounts provided in this subsection shall
14 lapse.

15 (4) PROGRAM SUPPORT

16	General Fund--State Appropriation (FY 2010)	((\$4,077,000))
17		<u>\$4,078,000</u>
18	General Fund--State Appropriation (FY 2011)	((\$4,094,000))
19		<u>\$4,027,000</u>
20	General Fund--Federal Appropriation	((\$7,227,000))
21		<u>\$7,185,000</u>
22	TOTAL APPROPRIATION	((\$15,398,000))
23		<u>\$15,290,000</u>

24 The department is authorized and encouraged to continue its
25 contract with the Washington state institute for public policy to
26 provide a longitudinal analysis of long-term mental health outcomes as
27 directed in chapter 334, Laws of 2001 (mental health performance
28 audit); to build upon the evaluation of the impacts of chapter 214,
29 Laws of 1999 (mentally ill offenders); and to assess program outcomes
30 and cost effectiveness of the children's mental health pilot projects
31 as required by chapter 372, Laws of 2006.

32 **Sec. 205.** 2010 c 3 s 204 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**
35 **DISABILITIES PROGRAM**

36 (1) COMMUNITY SERVICES

37	General Fund--State Appropriation (FY 2010)	((\$311,589,000))
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1		<u>\$307,384,000</u>
2	General Fund--State Appropriation (FY 2011)	((\$366,489,000))
3		<u>\$337,890,000</u>
4	General Fund--Federal Appropriation	((\$849,263,000))
5		<u>\$904,919,000</u>
6	<u>General Fund--Private/Local Appropriation</u>	<u>\$102,000</u>
7	TOTAL APPROPRIATION	((\$1,527,341,000))
8		<u>\$1,550,295,000</u>

9 The appropriations in this subsection are subject to the following
10 conditions and limitations:

11 (a) Individuals receiving services as supplemental security income
12 (SSI) state supplemental payments shall not become eligible for medical
13 assistance under RCW 74.09.510 due solely to the receipt of SSI state
14 supplemental payments.

15 (b) Amounts appropriated in this section reflect a reduction to
16 funds appropriated for in-home care. The department shall reduce the
17 number of in-home hours authorized. The reduction shall be scaled
18 based on the acuity level of care recipients. The largest hour
19 reductions shall be to lower acuity patients and the smallest hour
20 reductions shall be to higher acuity patients. In doing so, the
21 department shall comply with all maintenance of effort requirements
22 contained in the American reinvestment and recovery act.

23 (c) Amounts appropriated in this section are sufficient to develop
24 and implement the use of a consistent, statewide outcome-based vendor
25 contract for employment and day services by April 1, 2011. The rates
26 paid to vendors under this contract shall also be made consistent. In
27 its description of activities the agency shall include activity
28 listings and dollars appropriated for: Employment services, day
29 services, child development services and county administration of
30 services to the developmentally disabled. The department shall begin
31 reporting to the office of financial management on these activities
32 beginning in fiscal year 2010.

33 (d) ((~~\$5,593,000~~)) \$5,773,000 of the general fund--state
34 appropriation for fiscal year 2010, ((~~\$4,002,000~~)) \$4,797,000 of the
35 general fund--state appropriation for fiscal year 2011, and
36 ((~~\$14,701,000~~)) \$16,159,000 of the general fund--federal appropriation
37 are provided solely for community residential and support services.
38 Funding in this subsection shall be prioritized for (i) residents of

1 residential habilitation centers who are able to be adequately cared
2 for in community settings and who choose to live in those community
3 settings; (ii) clients without residential services who are at
4 immediate risk of institutionalization or in crisis; (iii) children who
5 are at risk of institutionalization or who are aging out of other state
6 services; and (iv) current home and community-based waiver program
7 clients who have been assessed as having an immediate need for
8 increased services. First priority shall be given to children who are
9 at risk of institutionalization. The department shall ensure that the
10 average cost per day for all program services other than start-up costs
11 shall not exceed \$300. In order to maximize the number of clients
12 served and ensure the cost-effectiveness of the waiver programs, the
13 department will strive to limit new client placement expenditures to 90
14 percent of the budgeted daily rate. If this can be accomplished,
15 additional clients may be served with excess funds, provided the total
16 projected carry-forward expenditures do not exceed the amounts
17 estimated. The department shall electronically report to the
18 appropriate committees of the legislature, within 45 days following
19 each fiscal year quarter, the number of persons served with these
20 additional community services, where they were residing, what kinds of
21 services they were receiving prior to placement, and the actual
22 expenditures for all community services to support these clients.

23 (e)(i) (~~(\$493,000)~~) \$679,000 of the general fund--state
24 appropriation for fiscal year 2010, (~~(\$1,463,000)~~) \$2,146,000 of the
25 general fund--state appropriation for fiscal year 2011, and
26 (~~(\$2,741,000)~~) \$4,057,000 of the general fund--federal appropriation
27 are provided solely for community services for persons with
28 developmental disabilities who also have community protection issues.
29 Funding in this subsection shall be prioritized for (A) clients being
30 diverted or discharged from the state psychiatric hospitals; (B)
31 clients participating in the dangerous mentally ill offender program;
32 (C) clients participating in the community protection program; and (D)
33 mental health crisis diversion outplacements. The department shall
34 ensure that the average cost per day for all program services other
35 than start-up costs shall not exceed \$349 per day in fiscal year 2010
36 and \$356 per day in fiscal year 2011. In order to maximize the number
37 of clients served and ensure the cost-effectiveness of the waiver
38 programs, the department will strive to limit new client placement

1 expenditures to 90 percent of the budgeted daily rate. If this can be
2 accomplished, additional clients may be served with excess funds if the
3 total projected carry-forward expenditures do not exceed the amounts
4 estimated.

5 (ii) The department shall electronically report to the appropriate
6 committees of the legislature, within 45 days following each fiscal
7 year quarter, the number of persons served with these additional
8 community services, where they were residing, what kinds of services
9 they were receiving prior to placement, and the actual expenditures for
10 all community services to support these clients.

11 (f) \$302,000 of the general fund--state appropriation for fiscal
12 year 2010, \$831,000 of the general fund--state appropriation for fiscal
13 year 2011, and \$1,592,000 of the general fund--federal appropriation
14 are provided solely for health care benefits pursuant to a collective
15 bargaining agreement negotiated with the exclusive bargaining
16 representative of individual providers established under RCW
17 74.39A.270.

18 (g)(i) \$682,000 of the general fund--state appropriation for fiscal
19 year 2010, \$1,651,000 of the general fund--state appropriation for
20 fiscal year 2011, and \$1,678,000 of the general fund--federal
21 appropriation are provided solely for the state's contribution to the
22 training partnership, as provided in RCW 74.39A.360, pursuant to a
23 collective bargaining agreement negotiated with the exclusive
24 bargaining representative of individual providers established under RCW
25 74.39A.270.

26 (ii) The federal portion of the amounts in this subsection (g) is
27 contingent upon federal approval of participation in contributions to
28 the trust and shall remain unallotted and placed in reserve status
29 until the office of financial management and the department of social
30 and health services receive federal approval.

31 (iii) Expenditures for the purposes specified in this subsection
32 (g) shall not exceed the amounts provided in this subsection.

33 (h) Within the amounts appropriated in this subsection (1), the
34 department shall implement all necessary rules to facilitate the
35 transfer to a department home and community-based services (HCBS)
36 waiver of all eligible individuals who (i) currently receive services
37 under the existing state-only employment and day program or the
38 existing state-only residential program, and (ii) otherwise meet the

1 waiver eligibility requirements. The amounts appropriated are
2 sufficient to ensure that all individuals currently receiving services
3 under the state-only employment and day and state-only residential
4 programs who are not transferred to a department HCBS waiver will
5 continue to receive services.

6 ~~((i))~~ ~~((Adult day health services shall only be authorized for in-~~
7 ~~home clients.~~

8 ~~((j))~~ In addition to other reductions, the appropriations in this
9 subsection reflect reductions targeted specifically to state government
10 administrative costs. These administrative reductions shall be
11 achieved, to the greatest extent possible, by reducing those
12 administrative costs that do not affect direct client services or
13 direct service delivery or programs.

14 ~~((k))~~ (j) The department shall not pay a home care agency
15 licensed under chapter 70.127 RCW for personal care services provided
16 by a family member, pursuant to Substitute House Bill No. 2361
17 (modifying state payments for in-home care).

18 ~~((l))~~ (k) Within the appropriations of this section, the
19 department shall reduce all seventeen payment levels of the seventeen-
20 level payment system from the fiscal year 2009 levels for boarding
21 homes, boarding homes contracted as assisted living, and adult family
22 homes. Excluded from the reductions are exceptional care rate add-ons.
23 The long-term care program may develop add-ons to pay exceptional care
24 rates to adult family homes and boarding homes with specialty contracts
25 to provide support for the following specifically eligible clients:

26 (i) Persons with AIDS or HIV-related diseases who might otherwise
27 require nursing home or hospital care;

28 (ii) Persons with Alzheimer's disease and related dementia who
29 might otherwise require nursing home care; and

30 (iii) Persons with co-occurring mental illness and long-term care
31 needs who are eligible for expanded community services and who might
32 otherwise require state and local psychiatric hospital care.

33 Within amounts appropriated, exceptional add-on rates for AIDS/HIV,
34 dementia specialty care, and expanded community services may be
35 standardized within each program.

36 ~~((m))~~ (l) The amounts appropriated in this subsection reflect a
37 reduction in funds available for employment and day services. In
38 administering this reduction the department shall negotiate with

1 counties and their vendors so that this reduction, to the greatest
2 extent possible, is achieved by reducing vendor rates and allowable
3 contract administrative charges (overhead) and not through reductions
4 to direct client services or direct service delivery or programs.

5 ~~((n) Within the amounts allotted for employment and day services
6 in this section, the department shall prioritize the funding of
7 employment services for students graduating from high school during
8 fiscal years 2010 and 2011. However, nothing in this subsection is
9 intended to displace services for other recipients of employment
10 services.~~

11 ~~(o))~~ (m) As part of the needs assessment instrument, the
12 department may collect data on family income for minor children with
13 developmental disabilities and all individuals who are receiving state-
14 only funded services. The department may ensure that this information
15 is collected as part of the client assessment process.

16 (n) \$116,000 of the general fund--state appropriation for fiscal
17 year 2010, \$2,689,000 of the general fund--state appropriation for
18 fiscal year 2011, and \$1,772,000 of the general fund--federal
19 appropriation are provided solely for employment services and required
20 waiver services. Priority consideration for this new funding shall be
21 young adults with developmental disabilities living with their family
22 who need employment opportunities and assistance after high school
23 graduation. Services shall be provided for both waiver and nonwaiver
24 clients. Fifty percent of the general fund appropriation shall be
25 utilized for graduates who are on a waiver and fifty percent of the
26 general fund appropriation shall be used for nonwaiver clients.

27 (o) Upon the effective date of this section, the department shall
28 no longer hold funded residential vacancies to achieve savings.

29 (p) The division of developmental disabilities shall not reduce
30 funding for county employment contracts. Funding for this purpose
31 shall be maintained at the amount appropriated for this purpose in
32 chapter 564, Laws of 2009.

33 (q) The department shall, by September 30, 2010, provide a report
34 to the legislature on the implementation of chapter 571, Laws of 2009
35 (Substitute House Bill No. 2361). The report shall provide an analysis
36 of the savings and/or costs to the agency associated with the
37 implementation of the bill. Additionally, the report shall provide a

1 full accounting of the relative hourly costs of agency providers and
2 individual providers.

3 (r) Pursuant to RCW 43.135.055 and Substitute House Bill No. 2954,
4 the department is authorized to establish the following fees for fiscal
5 year 2011:

6 (i) The annual licensing renewal fee for boarding homes is \$112.00
7 per licensed bed.

8 (ii) The annual licensing renewal fee for adult family homes is
9 \$220.00 per licensed bed. The renewal fee may be paid in two
10 installments over the course of the licensed period as defined by the
11 department in rule.

12 (iii) The initial processing fee for adult family home licenses is
13 \$1,800.00 per home and shall be paid in full at the time of the
14 licensing application. The department shall refund all initial
15 processing fees, with the exception of \$100.00, paid between July 1,
16 2009, and June 30, 2010, for any adult family home that remains in
17 active status on or after July 1, 2010.

18 (s) The department shall establish a working group with
19 representatives of the home care industry to identify and eliminate or
20 mitigate administrative burdens. The make-up of this working group
21 shall be limited to:

22 (i) The state unit on aging chief of the aging and disabilities
23 service administration (ADSA);

24 (ii) Other ADSA representatives as the state unit on aging chief
25 deems necessary;

26 (iii) A representative from the department of health facility
27 services licensing;

28 (iv) No more than seven representatives of the home care industry,
29 to include:

30 (A) A representative of each of the three home care associations;

31 (B) A for-profit agency with at least seven area agency on aging
32 contracts;

33 (C) A nonprofit with at least seven area agency on aging contracts;

34 (D) An agency that serves persons with developmental disabilities;

35 and

36 (E) An agency that is a community action program;

37 (v) No more than two area agency on aging directors; and

1 (vi) Representatives from each of the two labor unions which
2 represent home care workers.

3 The department is authorized to assign work group members
4 consistent with this subsection (1)(s). The working group shall hold
5 its first meeting no later than May 1, 2010, and shall meet at least
6 monthly or as needed until the group has accomplished its goals. The
7 work group shall provide a report on its findings to the legislative
8 fiscal committees by January 1, 2011.

9 (t) No employer, provider, or entity receiving state funds to
10 provide long-term care services or services to the developmentally
11 disabled may use these funds to assist, promote, or deter union
12 organization.

13 (2) INSTITUTIONAL SERVICES

14	General Fund--State Appropriation (FY 2010)	(\$61,612,000)
15		<u>\$61,264,000</u>
16	General Fund--State Appropriation (FY 2011)	(\$74,185,000)
17		<u>\$63,495,000</u>
18	General Fund--Federal Appropriation	(\$202,160,000)
19		<u>\$207,522,000</u>
20	General Fund--Private/Local Appropriation	\$22,441,000
21	TOTAL APPROPRIATION	(\$360,398,000)
22		<u>\$354,722,000</u>

23 The appropriations in this subsection are subject to the following
24 conditions and limitations:

25 (a) Individuals receiving services as supplemental security income
26 (SSI) state supplemental payments shall not become eligible for medical
27 assistance under RCW 74.09.510 due solely to the receipt of SSI state
28 supplemental payments.

29 (b) The developmental disabilities program is authorized to use
30 funds appropriated in this subsection to purchase goods and supplies
31 through direct contracting with vendors when the program determines it
32 is cost-effective to do so.

33 (c) \$721,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$721,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for the department to fulfill its
36 contracts with the school districts under chapter 28A.190 RCW to
37 provide transportation, building space, and other support services as

1 are reasonably necessary to support the educational programs of
2 students living in residential habilitation centers.

3 (d) In addition to other reductions, the appropriations in this
4 subsection reflect reductions targeted specifically to state government
5 administrative costs. These administrative reductions shall be
6 achieved, to the greatest extent possible, by reducing those
7 administrative costs that do not affect direct client services or
8 direct service delivery or programs.

9 (3) PROGRAM SUPPORT

10	General Fund--State Appropriation (FY 2010)	((\$1,420,000))
11		<u>\$1,407,000</u>
12	General Fund--State Appropriation (FY 2011)	((\$1,372,000))
13		<u>\$1,360,000</u>
14	General Fund--Federal Appropriation	((\$1,360,000))
15		<u>\$1,305,000</u>
16	TOTAL APPROPRIATION	((\$4,152,000))
17		<u>\$4,072,000</u>

18 The appropriations in this subsection are subject to the following
19 conditions and limitations: In addition to other reductions, the
20 appropriations in this subsection reflect reductions targeted
21 specifically to state government administrative costs. These
22 administrative reductions shall be achieved, to the greatest extent
23 possible, by reducing those administrative costs that do not affect
24 direct client services or direct service delivery or programs.

25 (4) SPECIAL PROJECTS

26	((General Fund--State Appropriation (FY 2010)	\$15,000
27	General Fund--State Appropriation (FY 2011)	\$15,000))
28	General Fund--Federal Appropriation	((\$21,066,000))
29		<u>\$9,617,000</u>
30	TOTAL APPROPRIATION	((\$21,096,000))
31		<u>\$9,617,000</u>

32 The appropriations in this subsection are subject to the following
33 conditions and limitations: The appropriations in this subsection are
34 available solely for the infant toddler early intervention program.

35 **Sec. 206.** 2010 c 3 s 205 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**
2 **SERVICES PROGRAM**

3	General Fund--State Appropriation (FY 2010)	((\$584,741,000))
4		<u>\$617,111,000</u>
5	General Fund--State Appropriation (FY 2011)	((\$693,325,000))
6		<u>\$637,834,000</u>
7	General Fund--Federal Appropriation	((\$1,805,958,000))
8		<u>\$1,956,315,000</u>
9	General Fund--Private/Local Appropriation	((\$19,973,000))
10		<u>\$21,491,000</u>
11	Traumatic Brain Injury Account--State Appropriation . .	((\$1,816,000))
12		<u>\$3,816,000</u>
13	TOTAL APPROPRIATION	((\$3,105,813,000))
14		<u>\$3,236,567,000</u>

15 The appropriations in this section are subject to the following
16 conditions and limitations:

17 (1) For purposes of implementing chapter 74.46 RCW, the weighted
18 average nursing facility payment rate shall not exceed ((~~\$156.37~~))
19 \$169.85 for fiscal year 2010 and shall not exceed ((~~\$158.74~~)) \$168.17
20 for fiscal year 2011, including the rate add-on described in subsection
21 (12) of this section. ((~~There will be no adjustments for economic~~
22 ~~trends and conditions in fiscal years 2010 and 2011.~~)) The economic
23 trends and conditions factor or factors defined in the biennial
24 appropriations act shall not be compounded with the economic trends and
25 conditions factor or factors defined in any other biennial
26 appropriations acts before applying it to the component rate
27 allocations established in accordance with chapter 74.46 RCW. When no
28 economic trends and conditions factor for either fiscal year is defined
29 in a biennial appropriations act, no economic trends and conditions
30 factor or factors defined in any earlier biennial appropriations act
31 shall be applied solely or compounded to the component rate allocations
32 established in accordance with chapter 74.46 RCW.

33 (2) In accordance with chapter 74.46 RCW, the department shall
34 issue no additional certificates of capital authorization for fiscal
35 year 2010 and no new certificates of capital authorization for fiscal
36 year 2011.

37 (3) The long-term care program may develop and pay enhanced rates
38 for exceptional care to nursing homes for persons with traumatic brain

1 injuries who are transitioning from hospital care. The cost per
2 patient day for caring for these clients in a nursing home setting may
3 be equal to or less than the cost of caring for these clients in a
4 hospital setting.

5 (4) Within the appropriations of this section, the department shall
6 reduce all seventeen payment levels of the seventeen-level payment
7 system from the fiscal year 2009 levels for boarding homes, boarding
8 homes contracted as assisted living, and adult family homes. Excluded
9 from the reductions are exceptional care rate add-ons. The long-term
10 care program may develop add-ons to pay exceptional care rates to adult
11 family homes and boarding homes with specialty contracts to provide
12 support for the following specifically eligible clients:

13 (a) Persons with AIDS or HIV-related diseases who might otherwise
14 require nursing home or hospital care;

15 (b) Persons with Alzheimer's disease and related dementia who might
16 otherwise require nursing home care; and

17 (c) Persons with co-occurring mental illness and long-term care
18 needs who are eligible for expanded community services and who might
19 otherwise require state and local psychiatric hospital care.

20 Within amounts appropriated, exceptional add-on rates for AIDS/HIV,
21 dementia specialty care, and expanded community services may be
22 standardized within each program.

23 (5) Amounts appropriated in this section reflect a reduction to
24 funds appropriated for in-home care. The department shall reduce the
25 number of in-home hours authorized. The reduction shall be scaled
26 based on the acuity level of care recipients. The largest hour
27 reductions shall be to lower acuity patients and the smallest hour
28 reductions shall be to higher acuity patients. In doing so, the
29 department shall comply with all maintenance of effort requirements
30 contained in the American reinvestment and recovery act.

31 (6) \$536,000 of the general fund--state appropriation for fiscal
32 year 2010, \$1,477,000 of the general fund--state appropriation for
33 fiscal year 2011, and \$2,830,000 of the general fund--federal
34 appropriation are provided solely for health care benefits pursuant to
35 a collective bargaining agreement negotiated with the exclusive
36 bargaining representative of individual providers established under RCW
37 74.39A.270.

1 (7)(a) \$1,212,000 of the general fund--state appropriation for
2 fiscal year 2010, \$2,934,000 of the general fund--state appropriation
3 for fiscal year 2011, and \$2,982,000 of the general fund--federal
4 appropriation are provided solely for the state's contribution to the
5 training partnership, as provided in RCW 74.39A.360, pursuant to a
6 collective bargaining agreement negotiated with the exclusive
7 bargaining representative of individual providers established under RCW
8 74.39A.270.

9 (b) \$330,000 of the general fund--state appropriation for fiscal
10 year 2010, \$660,000 of the general fund--state appropriation for fiscal
11 year 2011, and \$810,000 of the general fund--federal appropriation are
12 provided solely for transfer from the department to the training
13 partnership, as provided in RCW 74.39A.360, for infrastructure and
14 instructional costs associated with training of individual providers,
15 pursuant to a collective bargaining agreement negotiated with the
16 exclusive bargaining representative of individual providers established
17 under RCW 74.39A.270.

18 (c) The federal portion of the amounts in this subsection is
19 contingent upon federal approval of participation in contributions to
20 the trust and shall remain unallotted and placed in reserve status
21 until the office of financial management and the department of social
22 and health services receive federal approval.

23 (d) Expenditures for the purposes specified in this subsection
24 shall not exceed the amounts provided in this subsection.

25 (8) Within the amounts appropriated in this section, the department
26 may expand the new freedom waiver program to accommodate new waiver
27 recipients throughout the state. As possible, and in compliance with
28 current state and federal laws, the department shall allow current
29 waiver recipients to transfer to the new freedom waiver.

30 (9) Individuals receiving services as supplemental security income
31 (SSI) state supplemental payments shall not become eligible for medical
32 assistance under RCW 74.09.510 due solely to the receipt of SSI state
33 supplemental payments.

34 ~~((10) Adult day health services shall only be authorized for in-~~
35 ~~home clients.~~

36 ~~(11))~~ (10) \$3,955,000 of the general fund--state appropriation for
37 fiscal year 2010, \$4,239,000 of the general fund--state appropriation
38 for fiscal year 2011, and \$10,190,000 of the general fund--federal

1 appropriation are provided solely for the continued operation of
2 community residential and support services for persons who are older
3 adults or who have co-occurring medical and behavioral disorders and
4 who have been discharged or diverted from a state psychiatric hospital.
5 These funds shall be used to serve individuals whose treatment needs
6 constitute substantial barriers to community placement, who no longer
7 require active psychiatric treatment at an inpatient hospital level of
8 care, and who no longer meet the criteria for inpatient involuntary
9 commitment. Coordination of these services will be done in partnership
10 between the mental health program and the aging and disability services
11 administration.

12 ~~((+12+))~~ (11) Within the funds provided, the department shall
13 continue to provide an add-on per medicaid resident day per facility
14 not to exceed \$1.57. The add-on shall be used to increase wages,
15 benefits, and/or staffing levels for certified nurse aides; or to
16 increase wages and/or benefits for dietary aides, housekeepers, laundry
17 aides, or any other category of worker whose statewide average dollars-
18 per-hour wage was less than \$15 in calendar year 2008, according to
19 cost report data. The add-on may also be used to address resulting
20 wage compression for related job classes immediately affected by wage
21 increases to low-wage workers. The department shall continue reporting
22 requirements and a settlement process to ensure that the funds are
23 spent according to this subsection. The department shall adopt rules
24 to implement the terms of this subsection.

25 ~~((+13+))~~ (12) \$1,840,000 of the general fund--state appropriation
26 for fiscal year 2010 and \$1,877,000 of the general fund--state
27 appropriation for fiscal year 2011 are provided solely for operation of
28 the volunteer ~~((here))~~ services program. Funding shall be prioritized
29 towards serving populations traditionally served by long-term care
30 services to include senior citizens and persons with developmental
31 disabilities.

32 ~~((+14+))~~ (13) In accordance with chapter 74.39 RCW, the department
33 may implement two medicaid waiver programs for persons who do not
34 qualify for such services as categorically needy, subject to federal
35 approval and the following conditions and limitations:

36 (a) One waiver program shall include coverage of care in community
37 residential facilities. Enrollment in the waiver shall not exceed 600
38 persons at any time.

1 (b) The second waiver program shall include coverage of in-home
2 care. Enrollment in this second waiver shall not exceed 200 persons at
3 any time.

4 (c) The department shall identify the number of medically needy
5 nursing home residents, and enrollment and expenditures on each of the
6 two medically needy waivers, on monthly management reports.

7 (d) If it is necessary to establish a waiting list for either
8 waiver because the budgeted number of enrollment opportunities has been
9 reached, the department shall track how the long-term care needs of
10 applicants assigned to the waiting list are met.

11 ~~((+15+))~~ (14) The department shall establish waiting lists to the
12 extent necessary to assure that annual expenditures on the community
13 options program entry systems (COPES) program do not exceed
14 appropriated levels. In establishing and managing any such waiting
15 list, the department shall assure priority access to persons with the
16 greatest unmet needs, as determined by department assessment processes.

17 ~~((+16+))~~ (15) The department shall contract for housing with
18 service models, such as cluster care, to create efficiencies in service
19 delivery and responsiveness to unscheduled personal care needs by
20 clustering hours for clients that live in close proximity to each
21 other.

22 ~~((+17+))~~ (16) The department shall not pay a home care agency
23 licensed under chapter 70.127 RCW for personal care services provided
24 by a family member, pursuant to Substitute House Bill No. 2361
25 (modifying state payments for in-home care).

26 ~~((+18) - \$204,000)~~ (17) - \$209,000 of the general fund--state
27 appropriation for fiscal year 2010, ~~((+\$1,099,000))~~ \$781,000 of the
28 general fund--state appropriation for fiscal year 2011, and
29 ~~((+\$1,697,000))~~ \$1,293,000 of the general fund--federal appropriation
30 are provided solely to implement Engrossed House Bill No. 2194
31 (extraordinary medical placement for offenders). The department shall
32 work in partnership with the department of corrections to identify
33 services and find placements for offenders who are released through the
34 extraordinary medical placement program. The department shall
35 collaborate with the department of corrections to identify and track
36 cost savings to the department of corrections, including medical cost
37 savings and to identify and track expenditures incurred by the aging
38 and disability services program for community services and by the

1 medical assistance program for medical expenses. A joint report
2 regarding the identified savings and expenditures shall be provided to
3 the office of financial management and the appropriate fiscal
4 committees of the legislature by November 30, 2010. If this bill is
5 not enacted by June 30, 2009, the amounts provided in this subsection
6 shall lapse.

7 ~~((19) Sufficient funding is provided in this section for the~~
8 ~~department to implement Engrossed Second Substitute House Bill No. 1935~~
9 ~~(adult family homes). During the 2009-11 biennium, the initial~~
10 ~~licensing fee for an adult family home shall be set at \$900.00. During~~
11 ~~the 2009-11 biennium, the annual licensing renewal fee shall be set at~~
12 ~~\$100.00.)) (18) Pursuant to RCW 43.135.055 and Substitute House Bill~~
13 ~~No. 2954, the department is authorized to establish the following fees~~
14 ~~for fiscal year 2011:~~

15 (a) The annual licensing renewal fee for nursing facilities is
16 \$327.00 per licensed bed.

17 (b) The annual licensing renewal fee for boarding homes is \$112.00
18 per licensed bed.

19 (c) The annual licensing renewal fee for adult family homes is
20 \$220.00 per licensed bed. The renewal fee may be paid in two
21 installments over the course of the licensed period as defined by the
22 department in rule.

23 (d) The initial processing fee for adult family home licenses is
24 \$1,800.00 per home and shall be paid in full at the time of the
25 licensing application. The department shall refund all initial
26 processing fees, with the exception of \$100.00, paid between July 1,
27 2009, and June 30, 2010, for any adult family home that remains in
28 active status on or after July 1, 2010.

29 (19) The department shall, by September 30, 2010, provide a report
30 to the legislature on the implementation of chapter 571, Laws of 2009
31 (Substitute House Bill No. 2361). The report shall provide an analysis
32 of the savings and/or costs to the agency associated with the
33 implementation of the bill. Additionally, the report shall provide a
34 full accounting of the relative hourly costs of agency providers and
35 individual providers.

36 (20) The department shall establish a working group with
37 representatives of the home care industry to identify and eliminate or

1 mitigate administrative burdens. The make-up of this working group
2 shall be limited to:

3 (a) The state unit on aging chief of the aging and disabilities
4 service administration (ADSA);

5 (b) Other ADSA representatives as the state unit on aging chief
6 deems necessary;

7 (c) A representative from the department of health facility
8 services licensing;

9 (d) No more than seven representatives of the home care industry,
10 to include:

11 (i) A representative of each of the three home care associations;

12 (ii) A for-profit agency with at least seven area agency on aging
13 contracts;

14 (iii) A nonprofit with at least seven area agency on aging
15 contracts;

16 (iv) An agency that serves persons with developmental disabilities;
17 and

18 (v) An agency that is a community action program;

19 (e) No more than two area agency on aging directors; and

20 (f) Representatives from each of the two labor unions which
21 represent home care workers.

22 The department is authorized to assign work group members
23 consistent with this subsection. The working group shall hold its
24 first meeting no later than May 1, 2010, and shall meet at least
25 monthly or as needed until the group has accomplished its goals. The
26 work group shall provide a report on its findings to the legislative
27 fiscal committees by January 1, 2011.

28 (21) \$3,816,000 of the traumatic brain injury account--state
29 appropriation is provided solely to continue services for persons with
30 traumatic brain injury (TBI) as defined in RCW 74.31.020 through
31 74.31.050. The TBI advisory council shall provide a report to the
32 legislature by December 1, 2010, on the effectiveness of the functions
33 overseen by the council and shall provide recommendations on the
34 development of critical services for individuals with traumatic brain
35 injury.

36 (22) No employer, provider, or entity receiving state funds to
37 provide long-term care services or services to the developmentally

1 disabled may use these funds to assist, promote, or deter union
2 organization.

3 (23) \$115,000 of the general fund--state appropriation for fiscal
4 year 2010, \$1,600,000 of the general fund--state appropriation for
5 fiscal year 2011, and \$2,590,000 of the general fund--federal
6 appropriation are provided solely for the department to maintain the
7 total enrollment of the adult day health services program at the
8 January 2010 level of 1,678 clients.

9 **Sec. 207.** 2010 c 3 s 206 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES**
12 **PROGRAM**

13	General Fund--State Appropriation (FY 2010)	((\$557,452,000))
14		<u>\$568,982,000</u>
15	General Fund--State Appropriation (FY 2011)	((\$587,973,000))
16		<u>\$540,758,000</u>
17	General Fund--Federal Appropriation	((\$1,139,899,000))
18		<u>\$1,151,351,000</u>
19	General Fund--Private/Local Appropriation	((\$27,920,000))
20		<u>\$30,827,000</u>
21	Administrative Contingency Account--State	
22	Appropriation	((\$29,136,000))
23		<u>\$24,336,000</u>
24	TOTAL APPROPRIATION	((\$2,342,380,000))
25		<u>\$2,316,254,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations:

28 (1) ((~~\$303,196,000~~)) \$303,393,000 of the general fund--state
29 appropriation for fiscal year 2010, ((~~\$309,755,000~~)) \$256,292,000 of
30 the general fund--state appropriation for fiscal year 2011,
31 ((~~\$29,136,000~~)) \$24,336,000 of the administrative contingency account--
32 state appropriation, and \$778,606,000 of the general fund--federal
33 appropriation are provided solely for all components of the WorkFirst
34 program. The department shall use moneys from the administrative
35 contingency account for WorkFirst job placement services provided by
36 the employment security department. Within the amounts provided for
37 the WorkFirst program, the department may provide assistance using

1 state-only funds for families eligible for temporary assistance for
2 needy families. In addition, within the amounts provided for WorkFirst
3 the department shall:

4 (a) Establish a career services work transition program;

5 (b) Continue to implement WorkFirst program improvements that are
6 designed to achieve progress against outcome measures specified in RCW
7 74.08A.410. Outcome data regarding job retention and wage progression
8 shall be reported quarterly to appropriate fiscal and policy committees
9 of the legislature for families who leave assistance, measured after 12
10 months, 24 months, and 36 months. The department shall also report the
11 percentage of families who have returned to temporary assistance for
12 needy families after 12 months, 24 months, and 36 months;

13 (c) Submit a report electronically by October 1, 2009, to the
14 fiscal committees of the legislature containing a spending plan for the
15 WorkFirst program. The plan shall identify how spending levels in the
16 2009-2011 biennium will be adjusted to stay within available federal
17 grant levels and the appropriated state-fund levels;

18 (d) Provide quarterly fiscal reports to the office of financial
19 management and the legislative fiscal committees detailing information
20 on the amount expended from general fund--state and general fund--
21 federal by activity;

22 (e) Maintain the fiscal year 2009 grant standard for the temporary
23 assistance for needy families grant;

24 (f) Suspend funding for all community works programs, except
25 community jobs in fiscal year 2011;

26 (g) Reduce funding for WorkFirst job search activities by
27 \$2,363,000 from levels budgeted for those activities as of February 1,
28 2010, for fiscal year 2011;

29 (h) Use savings from (f) and (g) of this subsection (1) to increase
30 availability of child care services, and implement a 12 month
31 authorization for working connections child care pursuant to Engrossed
32 Second Substitute House Bill No. 3141 (delivery of temporary assistance
33 to needy families);

34 (i) Allow single parents of children under the age of six years to
35 meet the work participation requirements with twenty hours per week of
36 qualifying activities in conformance with standards established by the
37 federal government.

1 (2) The department and the office of financial management shall
2 electronically report quarterly the expenditures, maintenance of effort
3 allotments, expenditure amounts, and caseloads for the WorkFirst
4 program to the legislative fiscal committees.

5 (3) The WorkFirst subcabinet, in partnership with the department of
6 social and health services, shall review and prepare a report on
7 services provided and accessed by both general population clients and
8 limited English proficiency clients. The review shall include
9 information on efficiencies and outcomes related to client services for
10 each client population. The report should identify services and
11 expenditures related to client outcomes in fiscal year 2010. The
12 report on these programs and client outcomes shall be reported to the
13 appropriate committees of the legislature no later than December 15,
14 2010.

15 (4) (~~(\$84,856,000)~~) \$73,326,000 of the general fund--state
16 appropriation for fiscal year 2010 and (~~(\$95,173,000)~~) \$75,621,000 of
17 the general fund--state appropriation for fiscal year 2011 are provided
18 solely for cash assistance and other services to recipients in the
19 (~~(general—assistance—unemployable)~~) disability lifeline program.
20 Within these amounts:

21 (a) The department shall aggressively pursue opportunities to
22 transfer (~~(general—assistance—unemployable)~~) disability lifeline
23 clients to general assistance expedited coverage and to facilitate
24 client applications for federal supplemental security income when the
25 client's incapacities indicate that he or she would be likely to meet
26 the federal disability criteria for supplemental security income. The
27 department shall initiate and file the federal supplemental security
28 income interim agreement as quickly as possible in order to maximize
29 the recovery of federal funds;

30 (b) The department shall review the (~~(general—assistance)~~)
31 disability lifeline caseload to identify recipients that would benefit
32 from assistance in becoming naturalized citizens, and thus be eligible
33 to receive federal supplemental security income benefits. Those cases
34 shall be given high priority for naturalization funding through the
35 department;

36 (c) The department shall actively coordinate with local workforce
37 development councils to expedite access to worker retraining programs

1 for (~~general assistance unemployable~~) disability lifeline clients in
2 those regions of the state with the greatest number of such clients;

3 (d) By July 1, 2009, the department shall enter into an interagency
4 agreement with the department of veterans' affairs to establish a
5 process for referral of veterans who may be eligible for veteran's
6 services. This agreement must include outstationing department of
7 veterans' affairs staff in selected community service office locations
8 in King and Pierce counties to facilitate applications for veterans'
9 services; and

10 (e) In addition to any earlier evaluation that may have been
11 conducted, the department shall intensively evaluate those clients who
12 have been receiving (~~general assistance unemployable~~) disability
13 lifeline benefits for twelve months or more as of July 1, 2009, or
14 thereafter, if the available medical and incapacity related evidence
15 indicates that the client is unlikely to meet the disability standard
16 for federal supplemental security income benefits. The evaluation
17 shall identify services necessary to eliminate or minimize barriers to
18 employment, including mental health treatment, substance abuse
19 treatment and vocational rehabilitation services. The department shall
20 expedite referrals to chemical dependency treatment, mental health and
21 vocational rehabilitation services for these clients.

22 (f) The appropriations in this subsection reflect a change in the
23 earned income disregard policy for (~~general assistance unemployable~~)
24 disability lifeline clients. It is the intent of the legislature that
25 the department shall adopt the temporary assistance for needy families
26 earned income policy for (~~general assistance unemployable~~) disability
27 lifeline.

28 (~~(4)~~) (5) \$750,000 of the general fund--state appropriation for
29 fiscal year 2010 and \$750,000 of the general fund--state appropriation
30 for fiscal year 2011 are provided solely for naturalization services.

31 (~~(5)~~) (6)(a) \$3,550,000 of the general fund--state appropriation
32 for fiscal year 2010 is provided solely for refugee employment
33 services, of which \$2,650,000 is provided solely for the department to
34 pass through to statewide refugee assistance organizations for limited
35 English proficiency pathway services; and \$3,550,000 of the general
36 fund--state appropriation for fiscal year 2011 is provided solely for
37 refugee employment services, of which \$2,650,000 is provided solely for

1 the department to pass through to statewide refugee assistance
2 organizations for limited English proficiency pathway services.

3 (b) The legislature intends that the appropriation in this
4 subsection for the 2009-11 fiscal biennium will maintain funding for
5 refugee programs at a level at least equal to expenditures on these
6 programs in the 2007-09 fiscal biennium.

7 ~~((+6))~~ (7) The appropriations in this section reflect reductions
8 in the appropriations for the economic services administration's
9 administrative expenses. It is the intent of the legislature that
10 these reductions shall be achieved, to the greatest extent possible, by
11 reducing those administrative costs that do not affect direct client
12 services or direct service delivery or program.

13 (8) \$855,000 of the general fund--state appropriation for fiscal
14 year 2011, \$719,000 of the general fund--federal appropriation, and
15 \$2,907,000 of the general fund--private/local appropriation are
16 provided solely for the implementation of the opportunity portal, the
17 food stamp employment and training program, and the disability lifeline
18 program under Second Substitute House Bill No. 2782 (security lifeline
19 act). If the bill is not enacted by June 30, 2010, the amounts
20 provided in this subsection shall lapse.

21 (9) \$200,000 of the general fund--state appropriation for fiscal
22 year 2011 is provided solely for the department to award grants to
23 small mutual assistance or small community-based organizations that
24 contract with the department for immigrant and refugee assistance
25 services. The funds shall be awarded to provide funding for community
26 groups to provide transitional assistance, language skills, and other
27 resources to improve refugees' economic self-sufficiency through the
28 effective use of social services, financial services, and medical
29 assistance.

30 (10) \$60,000 of the general fund--state appropriation for fiscal
31 year 2011 is provided solely for the department to contract with the
32 city of Tukwila to provide funding for basic human services programs
33 that include food, shelter, and clothing.

34 (11) \$250,000 of the general fund--state appropriation for fiscal
35 year 2010 is provided solely for increased funding for limited English
36 proficiency pathway programs.

1 residence in an institution for mental diseases, the department shall
2 provide the person with the same benefits as he or she would receive if
3 eligible for medicaid, using state-only funds to the extent necessary.

4 (5) In accordance with RCW 74.46.625, \$6,000,000 of the general
5 fund--federal appropriation is provided solely for supplemental
6 payments to nursing homes operated by public hospital districts. The
7 public hospital district shall be responsible for providing the
8 required nonfederal match for the supplemental payment, and the
9 payments shall not exceed the maximum allowable under federal rules.
10 It is the legislature's intent that the payments shall be supplemental
11 to and shall not in any way offset or reduce the payments calculated
12 and provided in accordance with part E of chapter 74.46 RCW. It is the
13 legislature's further intent that costs otherwise allowable for rate-
14 setting and settlement against payments under chapter 74.46 RCW shall
15 not be disallowed solely because such costs have been paid by revenues
16 retained by the nursing home from these supplemental payments. The
17 supplemental payments are subject to retrospective interim and final
18 cost settlements based on the nursing homes' as-filed and final
19 medicare cost reports. The timing of the interim and final cost
20 settlements shall be at the department's discretion. During either the
21 interim cost settlement or the final cost settlement, the department
22 shall recoup from the public hospital districts the supplemental
23 payments that exceed the medicaid cost limit and/or the medicare upper
24 payment limit. The department shall apply federal rules for
25 identifying the eligible incurred medicaid costs and the medicare upper
26 payment limit.

27 ~~(6) ((\$1,110,000 of the general fund federal appropriation and~~
28 ~~\$1,105,000 of the general fund state appropriation for fiscal year~~
29 ~~2011 are provided solely for grants to rural hospitals. The department~~
30 ~~shall distribute the funds under a formula that provides a relatively~~
31 ~~larger share of the available funding to hospitals that (a) serve a~~
32 ~~disproportionate share of low income and medically indigent patients,~~
33 ~~and (b) have relatively smaller net financial margins, to the extent~~
34 ~~allowed by the federal medicaid program.~~

35 ~~(7) \$9,818,000 of the general fund state appropriation for fiscal~~
36 ~~year 2011, and \$9,865,000 of the general fund federal appropriation~~
37 ~~are provided solely for grants to nonrural hospitals. The department~~
38 ~~shall distribute the funds under a formula that provides a relatively~~

1 ~~larger share of the available funding to hospitals that (a) serve a~~
2 ~~disproportionate share of low income and medically indigent patients,~~
3 ~~and (b) have relatively smaller net financial margins, to the extent~~
4 ~~allowed by the federal medicaid program.~~

5 (8)) The department shall continue the inpatient hospital
6 certified public expenditures program for the 2009-11 biennium. The
7 program shall apply to all public hospitals, including those owned or
8 operated by the state, except those classified as critical access
9 hospitals or state psychiatric institutions. The department shall
10 submit reports to the governor and legislature by November 1, 2009, and
11 by November 1, 2010, that evaluate whether savings continue to exceed
12 costs for this program. If the certified public expenditures (CPE)
13 program in its current form is no longer cost-effective to maintain,
14 the department shall submit a report to the governor and legislature
15 detailing cost-effective alternative uses of local, state, and federal
16 resources as a replacement for this program. During fiscal year 2010
17 and fiscal year 2011, hospitals in the program shall be paid and shall
18 retain one hundred percent of the federal portion of the allowable
19 hospital cost for each medicaid inpatient fee-for-service claim payable
20 by medical assistance and one hundred percent of the federal portion of
21 the maximum disproportionate share hospital payment allowable under
22 federal regulations. Inpatient medicaid payments shall be established
23 using an allowable methodology that approximates the cost of claims
24 submitted by the hospitals. Payments made to each hospital in the
25 program in each fiscal year of the biennium shall be compared to a
26 baseline amount. The baseline amount will be determined by the total
27 of (a) the inpatient claim payment amounts that would have been paid
28 during the fiscal year had the hospital not been in the CPE program,
29 (b) one half of the indigent assistance disproportionate share hospital
30 payment amounts paid to and retained by each hospital during fiscal
31 year 2005, and (c) all of the other disproportionate share hospital
32 payment amounts paid to and retained by each hospital during fiscal
33 year 2005 to the extent the same disproportionate share hospital
34 programs exist in the 2009-11 biennium. If payments during the fiscal
35 year exceed the hospital's baseline amount, no additional payments will
36 be made to the hospital except the federal portion of allowable
37 disproportionate share hospital payments for which the hospital can
38 certify allowable match. If payments during the fiscal year are less

1 than the baseline amount, the hospital will be paid a state grant equal
2 to the difference between payments during the fiscal year and the
3 applicable baseline amount. Payment of the state grant shall be made
4 in the applicable fiscal year and distributed in monthly payments. The
5 grants will be recalculated and redistributed as the baseline is
6 updated during the fiscal year. The grant payments are subject to an
7 interim settlement within eleven months after the end of the fiscal
8 year. A final settlement shall be performed. To the extent that
9 either settlement determines that a hospital has received funds in
10 excess of what it would have received as described in this subsection,
11 the hospital must repay the excess amounts to the state when requested.
12 \$26,396,000 of the general fund--state appropriation for fiscal year
13 2010, of which \$6,570,000 (~~((of the general fund--state appropriation~~
14 ~~for fiscal year 2010, which))~~) is appropriated in section 204(1) of this
15 act, and \$45,398,000 of the general fund--state appropriation for
16 fiscal year 2011, of which \$1,500,000 (~~((of the general fund--state~~
17 ~~appropriation for fiscal year 2011, which))~~) is appropriated in section
18 204(1) of this act, are provided solely for state grants for the
19 participating hospitals. (~~(Sufficient amounts are appropriated in this~~
20 ~~section for the remaining state grants for the participating hospitals.~~

21 ~~(9))~~ (8) The department is authorized to use funds appropriated in
22 this section to purchase goods and supplies through direct contracting
23 with vendors when the department determines it is cost-effective to do
24 so.

25 ~~((10))~~ (9) \$93,000 of the general fund--state appropriation for
26 fiscal year 2010 and \$93,000 of the general fund--federal appropriation
27 are provided solely for the department to pursue a federal Medicaid
28 waiver pursuant to Second Substitute Senate Bill No. 5945 (Washington
29 health partnership plan). If the bill is not enacted by June 30, 2009,
30 the amounts provided in this subsection shall lapse.

31 ~~((11))~~ (10) The department shall require managed health care
32 systems that have contracts with the department to serve medical
33 assistance clients to limit any reimbursements or payments the systems
34 make to providers not employed by or under contract with the systems to
35 no more than the medical assistance rates paid by the department to
36 providers for comparable services rendered to clients in the fee-for-
37 service delivery system.

1 (~~(12)~~) (11) A maximum of (~~(\$166,875,000)~~) \$179,643,000 of the
2 general fund--state appropriation and (~~(\$38,389,000)~~) \$59,758,000 of
3 the general fund--federal appropriation may be expended in the fiscal
4 biennium for the (~~general—assistance-unemployable~~) disability
5 lifeline medical program, and these amounts are provided solely for
6 this program. Of these amounts, \$10,749,000 of the general fund--state
7 appropriation for fiscal year 2010 (~~and \$10,892,000~~), \$5,233,000 of
8 the general fund--state appropriation for fiscal year 2011, and
9 \$16,125,000 of the general fund--federal appropriation are provided
10 solely for payments to hospitals for providing outpatient services to
11 low income patients who are recipients of (~~general—assistance—~~
12 ~~unemployable~~) disability lifeline benefits. Pursuant to RCW
13 74.09.035, the department shall not expend for the general assistance
14 medical care services program any amounts in excess of the amounts
15 provided in this subsection.

16 (~~(13)~~) (12) If the department determines that it is feasible
17 within the amounts provided in subsection (16) of this section, and
18 without the loss of federal disproportionate share hospital funds, the
19 department shall contract with the carrier currently operating a
20 managed care pilot project for the provision of medical care services
21 to (~~general—assistance-unemployable~~) disability lifeline clients.
22 Mental health services shall be included in the services provided
23 through the managed care system. If the department determines that it
24 is feasible, effective October 1, 2009, in addition to serving clients
25 in the pilot counties, the carrier shall expand managed care services
26 to clients residing in at least the following counties: Spokane,
27 Yakima, Chelan, Kitsap, and Cowlitz. If the department determines that
28 it is feasible, the carrier shall complete implementation into the
29 remaining counties. (~~Total per person costs to the state, including~~
30 ~~outpatient and inpatient services and any additional costs due to stop~~
31 ~~loss agreements, shall not exceed the per capita payments projected for~~
32 ~~the general—assistance-unemployable-eligibility-category, by fiscal~~
33 ~~year, in the February 2009 medical assistance expenditures forecast.))
34 The department, in collaboration with the carrier, shall seek to
35 improve the transition rate of (~~general—assistance~~) disability
36 lifeline clients to the federal supplemental security income program.~~

37 (~~(14)~~) (13) The department shall evaluate the impact of the use
38 of a managed care delivery and financing system on state costs,

1 savings, and outcomes for ((general-assistance)) disability lifeline
2 medical clients. Outcomes measured shall include state costs,
3 utilization, changes in mental health status and symptoms, and
4 involvement in the criminal justice system. The department shall
5 provide a report on these outcomes to the relevant policy and fiscal
6 committees of the legislature by November 15, 2010.

7 ((+15)) (14) The department shall report to the governor and the
8 fiscal committees of the legislature by June 1, 2010, on its progress
9 toward achieving a twenty percentage point increase in the generic
10 prescription drug utilization rate.

11 ((+16)) (15) State funds shall not be used by hospitals for
12 advertising purposes.

13 ((+17)) (16) \$24,293,000 of the general fund--private/local
14 appropriation and \$35,707,000 of the general fund--federal
15 appropriation are provided solely for the implementation of
16 professional services supplemental payment programs. The department
17 shall seek a medicaid state plan amendment to create a professional
18 services supplemental payment program for University of Washington
19 medicine professional providers no later than July 1, 2009. The
20 department shall apply federal rules for identifying the shortfall
21 between current fee-for-service medicaid payments to participating
22 providers and the applicable federal upper payment limit.
23 Participating providers shall be solely responsible for providing the
24 local funds required to obtain federal matching funds. Any incremental
25 costs incurred by the department in the development, implementation,
26 and maintenance of this program will be the responsibility of the
27 participating providers. Participating providers will retain the full
28 amount of supplemental payments provided under this program, net of any
29 potential costs for any related audits or litigation brought against
30 the state. The department shall report to the governor and the
31 legislative fiscal committees on the prospects for expansion of the
32 program to other qualifying providers as soon as feasibility is
33 determined but no later than December 31, 2009. The report will
34 outline estimated impacts on the participating providers, the
35 procedures necessary to comply with federal guidelines, and the
36 administrative resource requirements necessary to implement the
37 program. The department will create a process for expansion of the

1 program to other qualifying providers as soon as it is determined
2 feasible by both the department and providers but no later than June
3 30, 2010.

4 ~~((18) - \$9,350,000))~~ (17) \$9,075,000 of the general fund--state
5 appropriation for fiscal year 2010, ~~((\$8,313,000))~~ \$8,588,000 of the
6 general fund--state appropriation for fiscal year 2011, and
7 ~~((\$20,371,000))~~ \$39,747,000 of the general fund--federal appropriation
8 are provided solely for development and implementation of a replacement
9 system for the existing medicaid management information system. The
10 amounts provided in this subsection are conditioned on the department
11 satisfying the requirements of section 902 of this act.

12 ~~((19))~~ (18) \$506,000 of the general fund--state appropriation for
13 fiscal year 2011 and \$657,000 of the general fund--federal
14 appropriation are provided solely for the implementation of Second
15 Substitute House Bill No. 1373 (children's mental health). If the bill
16 is not enacted by June 30, 2009, the amounts provided in this
17 subsection shall lapse.

18 ~~((20))~~ (19) Pursuant to 42 U.S.C. Sec. 1396(a)(25), the
19 department shall pursue insurance claims on behalf of medicaid children
20 served through its in-home medically intensive child program under WAC
21 388-551-3000. The department shall report to the Legislature by
22 December 31, 2009, on the results of its efforts to recover such
23 claims.

24 ~~((21))~~ (20) The department may, on a case-by-case basis and in
25 the best interests of the child, set payment rates for medically
26 intensive home care services to promote access to home care as an
27 alternative to hospitalization. Expenditures related to these
28 increased payments shall not exceed the amount the department would
29 otherwise pay for hospitalization for the child receiving medically
30 intensive home care services.

31 ~~((22))~~ (21) \$425,000 of the general fund--state appropriation for
32 fiscal year 2010, \$425,000 of the general fund--state appropriation for
33 fiscal year 2011, and \$1,580,000 of the general fund--federal
34 appropriation are provided solely to continue children's health
35 coverage outreach and education efforts under RCW 74.09.470. These
36 efforts shall rely on existing relationships and systems developed with
37 local public health agencies, health care providers, public schools,
38 the women, infants, and children program, the early childhood education

1 and assistance program, child care providers, newborn visiting nurses,
2 and other community-based organizations. The department shall seek
3 public-private partnerships and federal funds that are or may become
4 available to provide on-going support for outreach and education
5 efforts under the federal children's health insurance program
6 reauthorization act of 2009.

7 ~~((+23))~~ (22) The department, in conjunction with the office of
8 financial management, shall reduce outpatient and inpatient hospital
9 rates and implement a prorated inpatient payment policy. In
10 determining the level of reductions needed, the department shall
11 include in its calculations services paid under fee-for-service,
12 managed care, and certified public expenditure payment methods; but
13 reductions shall not apply to payments for psychiatric inpatient
14 services or payments to critical access hospitals.

15 ~~((+24))~~ (23) The department will pursue a competitive procurement
16 process for antihemophilic products, emphasizing evidence-based
17 medicine and protection of patient access without significant
18 disruption in treatment.

19 ~~((+25))~~ (24) The department will pursue several strategies towards
20 reducing pharmacy expenditures including but not limited to increasing
21 generic prescription drug utilization by 20 percentage points and
22 promoting increased utilization of the existing mail-order pharmacy
23 program.

24 ~~((+26))~~ (25) The department shall reduce reimbursement for over-
25 the-counter medications while maintaining reimbursement for those over-
26 the-counter medications that can replace more costly prescription
27 medications.

28 ~~((+27))~~ (26) The department shall seek public-private partnerships
29 and federal funds that are or may become available to implement health
30 information technology projects under the federal American recovery and
31 reinvestment act of 2009.

32 ~~((+28))~~ (27) The department shall target funding for maternity
33 support services towards pregnant women with factors that lead to
34 higher rates of poor birth outcomes, including hypertension, a preterm
35 or low birth weight birth in the most recent previous birth, a
36 cognitive deficit or developmental disability, substance abuse, severe
37 mental illness, unhealthy weight or failure to gain weight, tobacco
38 use, or African American or Native American race.

1 ~~((29))~~ (28) \$230,933,000 of the hospital safety net assessment
2 fund--state appropriation and \$221,415,000 of the general fund--federal
3 appropriation are provided solely for the implementation of Substitute
4 House Bill No. 2956 (hospital safety net assessment). If the bill is
5 not enacted by June 30, 2010, the amounts provided in this subsection
6 shall lapse.

7 (29) \$79,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$53,000 of the general fund--federal appropriation are
9 provided solely to implement Substitute House Bill No. 1845 (medical
10 support obligations).

11 (30) \$63,000 of the general fund--state appropriation for fiscal
12 year 2010, \$583,000 of the general fund--state appropriation for fiscal
13 year 2011, and \$864,000 of the general fund--federal appropriation are
14 provided solely to implement Engrossed House Bill No. 2194
15 (extraordinary medical placement for offenders). The department shall
16 work in partnership with the department of corrections to identify
17 services and find placements for offenders who are released through the
18 extraordinary medical placement program. The department shall
19 collaborate with the department of corrections to identify and track
20 cost savings to the department of corrections, including medical cost
21 savings, and to identify and track expenditures incurred by the aging
22 and disability services program for community services and by the
23 medical assistance program for medical expenses. A joint report
24 regarding the identified savings and expenditures shall be provided to
25 the office of financial management and the appropriate fiscal
26 committees of the legislature by November 30, 2010. If this bill is
27 not enacted by June 30, 2009, the amounts provided in this subsection
28 shall lapse.

29 (31) Sufficient amounts are provided in this section to provide
30 full benefit dual eligible beneficiaries with medicare part D
31 prescription drug copayment coverage in accordance with RCW 74.09.520.

32 (32) In addition to other reductions, the appropriations in this
33 section reflect reductions targeted specifically to state government
34 administrative costs. These administrative reductions shall be
35 achieved, to the greatest extent possible, by reducing those
36 administrative costs that do not affect providers, direct client
37 services, or direct service delivery or programs.

1 (33) The department shall contract with an organization that
2 provides medication therapy management services to increase the use of
3 lower cost alternative medications, improve patient compliance with
4 prescribed regimens, reduce harmful side effects from medication, and
5 ensure that medications achieve their desired therapeutic results. The
6 department shall not contract for these services unless the contractor
7 guarantees that the services will generate savings, as measured by the
8 department's actual experience after implementation, that are greater
9 than the cost of the contracted services.

10 (34) \$120,000 of the general fund--state appropriation for fiscal
11 year 2010, \$280,000 of the general fund--state appropriation for fiscal
12 year 2011, and \$745,000 of the general fund--federal appropriation are
13 provided solely for the department to support the activities of the
14 Washington poison center. The department shall seek federal authority
15 to receive matching funds from the federal government through the
16 children's health insurance program.

17 (35) The department in consultation with Washington's federally
18 recognized tribes shall develop a plan for a new behavioral health
19 service delivery system design for American Indians and Alaska natives
20 in the medicaid and apple health for kids programs. The system must be
21 designed to integrate behavioral health and primary care. The system
22 shall be developed with input from urban tribal programs, regional
23 support networks, and community mental health agencies. The department
24 shall report to the governor and legislature on the plan for the new
25 system design by December 1, 2010. Sufficient amounts are provided in
26 this section to develop the plan.

27 (36) With the objective of improving and enhancing the efficiency
28 and effectiveness of the audit and oversight program, the department
29 shall identify streamlining opportunities in the areas described in (a)
30 through (d) of this subsection. The goals of these activities are to
31 leverage department resources to better fulfill the obligations of all
32 aspects of audit and oversight programs in an era of resource
33 constraints and to assure that the burden of audits and other oversight
34 activities on the state's businesses, organizations, and individuals is
35 as minimal as practical.

36 (a) The department shall complete an assessment of expanding the
37 use of technology and automated data matches for identification and
38 recovery of third party resources, including data matches with pharmacy

1 benefit managers (PBM). The department shall submit a report to the
2 governor and the relevant fiscal and policy committees of the
3 legislature by September 1, 2010, that identifies resources needed to
4 implement the enhanced data matching capability and the actions and
5 timelines necessary for implementation of automated production data
6 matching capability.

7 (b) The department shall complete a comprehensive review of
8 multiple licensing and certification reviews, onsite surveys, and
9 contract oversight obligations that require provider site visits or
10 require provider response. The department shall identify all related
11 oversight and review activities and identify opportunities for
12 consolidation of multiple clinical and business management review
13 activities as appropriate with a view to minimizing the cost of both
14 conducting and receiving the audits or other review or oversight
15 activities.

16 (c) The department shall expand its provider audit capacity through
17 its provider one payment system. The department shall identify
18 medicaid payment system enhancements that will maximize new technical
19 capabilities. The department shall explore new technical capabilities
20 of its fraud and abuse detection system to identify more efficient ways
21 to correlate audit efforts to the levels of risk and materiality.
22 Results of focused audits must be used to enhance educational
23 materials. The department shall report to the governor and legislature
24 by December 1, 2010, on the status of developing this audit capacity.

25 (d) The department shall conduct a review and assessment of audit
26 processes and timeframes. The department shall review audit outcomes
27 from the past three fiscal years and will concentrate on identifying
28 opportunities to shorten timeframes between the various stages of an
29 audit, including the letter of intent to audit, records collection to
30 issuance of the draft audit, dispute resolution activities, issuance of
31 the final audit, and administrative hearings. The department shall
32 initiate a provider outreach and education program to include
33 communication materials that clearly identify expectations of the
34 department and the provider being audited. The department must develop
35 and publish an orientation to medicaid audits publication by October 1,
36 2010, that includes audit requirements, expectations of providers and
37 the department, and associated timelines. The department shall report

1 to the governor and relevant policy and fiscal committees of the
2 legislature by December 1, 2010, on the status of these activities.

3 (37) \$528,000 of the general fund--state appropriation and
4 \$5,910,000 of the general fund--federal appropriation are provided
5 solely for the implementation of the disability lifeline program under
6 Second Substitute House Bill No. 2782 (security lifeline act). If the
7 bill is not enacted by June 30, 2010, the amounts provided in this
8 subsection shall lapse.

9 (38) If the cost of a brand name drug, after receiving discounted
10 prices and rebates, is less than the cost of the generic version of the
11 drug for the medical assistance program, the brand name drug shall be
12 purchased.

13 (39) The department shall propose a new medicaid prescription drug
14 pricing benchmark to replace the average wholesale price (AWP), and
15 report on the transition plan, the potential impact on stakeholders,
16 and impact on state expenditures for the 2011-13 biennium to the
17 governor and the fiscal committees of the legislature by November 1,
18 2010. This effort will include collaboration with stakeholders and be
19 consistent with the recommendations of the American medicaid pharmacy
20 administrators association and the national association of medicaid
21 directors working group on post-AWP pricing and reimbursement.

22 **Sec. 210.** 2010 c 3 s 209 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL**
25 **REHABILITATION PROGRAM**

26	General Fund--State Appropriation (FY 2010)	((\$10,451,000))
27		<u>\$10,243,000</u>
28	General Fund--State Appropriation (FY 2011)	((\$10,125,000))
29		<u>\$9,899,000</u>
30	General Fund--Federal Appropriation	((\$83,534,000))
31		<u>\$107,570,000</u>
32	Telecommunications Devices for the Hearing and	
33	Speech Impaired--State Appropriation	((\$1,979,000))
34		<u>\$5,979,000</u>
35	TOTAL APPROPRIATION	((\$106,089,000))
36		<u>\$133,691,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations: The vocational rehabilitation program
3 shall coordinate closely with the economic services program to serve
4 general assistance unemployable clients who are referred for
5 eligibility determination and vocational rehabilitation services, and
6 shall make every effort, within the requirements of the federal
7 rehabilitation act of 1973, to serve these clients.

8 **Sec. 211.** 2010 c 3 s 210 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT**
11 **PROGRAM**

12	General Fund--State Appropriation (FY 2010)	((\$49,818,000))
13		<u>\$48,849,000</u>
14	General Fund--State Appropriation (FY 2011)	((\$47,259,000))
15		<u>\$46,965,000</u>
16	TOTAL APPROPRIATION	((\$97,077,000))
17		<u>\$95,814,000</u>

18 **Sec. 212.** 2010 c 3 s 211 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND**
21 **SUPPORTING SERVICES PROGRAM**

22	General Fund--State Appropriation (FY 2010)	((\$34,425,000))
23		<u>\$33,094,000</u>
24	General Fund--State Appropriation (FY 2011)	((\$34,627,000))
25		<u>\$31,909,000</u>
26	General Fund--Federal Appropriation	((\$55,169,000))
27		<u>\$53,672,000</u>
28	General Fund--Private/Local Appropriation	\$1,526,000
29	<u>Institutional Impact Account--State Appropriation</u>	<u>\$22,000</u>
30	TOTAL APPROPRIATION	((\$125,747,000))
31		<u>\$120,223,000</u>

32 The appropriations in this section are subject to the following
33 conditions and limitations: In addition to other reductions, the
34 appropriations in this section reflect reductions targeted specifically
35 to state government administrative costs. These administrative

1 reductions shall be achieved, to the greatest extent possible, by
2 reducing those administrative costs that do not affect direct client
3 services or direct service delivery or programs.

4 (1) (~~(\$150,000)~~) \$333,000 of the general fund--state appropriation
5 for fiscal year 2010 and (~~(\$150,000)~~) \$300,000 of the general fund--
6 state appropriation for fiscal year 2011 are provided solely for the
7 Washington state mentors program to continue its public-private
8 partnerships to provide technical assistance and training to mentoring
9 programs that serve at-risk youth.

10 (2) \$445,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$445,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for funding of the teamchild
13 project through the governor's juvenile justice advisory committee.

14 (3) \$178,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$178,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for the juvenile detention
17 alternatives initiative.

18 (4) Amounts appropriated in this section reflect a reduction to the
19 family policy council. The family policy council shall reevaluate
20 staffing levels and administrative costs to ensure to the extent
21 possible a maximum ratio of grant moneys provided and administrative
22 costs.

23 (5) Amounts appropriated in this section reflect a reduction to the
24 council on children and families. The council on children and families
25 shall reevaluate staffing levels and administrative costs to ensure to
26 the extent possible a maximum ratio of grant moneys provided and
27 administrative costs.

28 (6) The department shall not reduce funding to the governor's
29 juvenile justice advisory committee from the amounts appropriated for
30 this purpose in chapter 564, Laws of 2009.

31 **Sec. 213.** 2009 c 564 s 213 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**
34 **AGENCIES PROGRAM**

35	General Fund--State Appropriation (FY 2010)	((\$53,431,000))
36		<u>\$60,697,000</u>
37	General Fund--State Appropriation (FY 2011)	((\$53,472,000))

1 (3) The administrator shall take at least the following actions to
2 assure that persons participating in the basic health plan are eligible
3 for the level of assistance they receive: (a) Require submission of
4 (i) income tax returns, and recent pay history, from all applicants, or
5 (ii) other verifiable evidence of earned and unearned income from those
6 persons not required to file income tax returns; (b) check employment
7 security payroll records at least once every twelve months on all
8 enrollees; (c) require enrollees whose income as indicated by payroll
9 records exceeds that upon which their subsidy is based to document
10 their current income as a condition of continued eligibility; (d)
11 require enrollees for whom employment security payroll records cannot
12 be obtained to document their current income at least once every six
13 months; (e) not reduce gross family income for self-employed persons by
14 noncash-flow expenses such as, but not limited to, depreciation,
15 amortization, and home office deductions, as defined by the United
16 States internal revenue service; and (f) pursue repayment and civil
17 penalties from persons who have received excessive subsidies, as
18 provided in RCW 70.47.060(9).

19 (4) In order to maximize the funding appropriated for the basic
20 health plan, the health care authority is directed to make
21 modifications that will reduce the total number of subsidized enrollees
22 to approximately 65,000 by January 1, 2010. In addition to the reduced
23 enrollment, other modifications may include changes in enrollee premium
24 obligations, changes in benefits, enrollee cost-sharing, and
25 termination of the enrollment of individuals concurrently enrolled in
26 a medical assistance program as provided in Substitute House Bill No.
27 2341. The health care authority shall seek federal matching funds for
28 enrollees. If federal matching funds are not available for enrollees
29 below one hundred thirty-three percent of the federal poverty level by
30 January 1, 2011, then the basic health plan program shall be
31 discontinued as of April 1, 2011.

32 (5) \$250,000 of the general fund--state appropriation for fiscal
33 year 2010 and \$250,000 of the general fund--state appropriation for
34 fiscal year 2011 are provided solely for the implementation of
35 Substitute Senate Bill No. 5360 (community collaboratives). If the
36 bill is not enacted by June 30, 2009, the amounts provided in this
37 section shall lapse.

1 (6) The ((department)) authority shall seek public-private
2 partnerships and federal funds that are or may become available to
3 implement health information technology projects under the federal
4 American recovery and reinvestment act of 2009.

5 (7) \$92,000 of the general fund--state appropriation for fiscal
6 year 2011 and \$8,000 of the general fund--federal appropriation are
7 provided solely for the implementation of the disability lifeline
8 program under Second Substitute House Bill No. 2782 (security lifeline
9 act). If the bill is not enacted by June 30, 2010, the amounts
10 provided in this subsection shall lapse.

11 (8) All health care authority contracts with managed health care
12 systems to serve basic health plan enrollees shall require that the
13 managed health care systems limit any reimbursements or payments by the
14 systems to health care providers who are not employed or under contract
15 with the systems, but are delivering services at or in affiliation with
16 a facility contracted with the systems to no more than the medical
17 assistance rates paid by the department of social and health services
18 for comparable services rendered to medical assistance clients in the
19 fee-for-service delivery program.

20 (9)(a) \$50,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$5,814,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for the health care authority to
23 conduct three pilot projects to determine the feasibility of providing
24 low-income adults at or below two hundred percent of the federal
25 poverty level, who are neither enrolled in the basic health plan, nor
26 eligible for medical assistance programs or federal medicare programs,
27 with a set of health services that includes a primary care component
28 provided through a community delivery system combined with select
29 specialty care services and catastrophic insurance coverage provided
30 through the health care authority. Each pilot project site shall
31 develop a set of health services that includes a benefit package and
32 payment mechanism that allows it to enroll one thousand individuals in
33 the primary care and limited specialty services components. The health
34 care authority shall be responsible for enrolling the individuals
35 covered by the primary care component in a catastrophic insurance plan.
36 Enrollees shall be required to pay a premium toward the cost of the
37 plan. The pilot projects shall be based in Spokane, Thurston, and

1 Whatcom counties. The pilot project shall be in operation from July 1,
2 2010, through July 1, 2012.

3 (b) The health care authority shall submit a study to the
4 legislature by December 1, 2011 that:

5 (i) Considers the impact of offering the set of health services as:

6 (A) A basic health coverage option in addition to the current
7 benefit package and payment mechanism; and

8 (B) A replacement of the current basic health plan benefit package
9 and payment mechanism; and

10 (ii) Identifies the most effective strategy for providing such a
11 set of health services that would provide meaningful coverage to low-
12 income individuals, the number of enrollees that would be required to
13 attain a stable risk pool to realize a cost-effective program, the
14 estimated cost per individual for providing such a set of health
15 services, the extent to which such a set could be offered statewide,
16 and recommendations on implementation of such a set of health services.

17 (10) In the event that the authority markets a nonsubsidized
18 version of the basic health plan, the authority must also provide
19 information on other health care coverage options to potential clients.

20 **Sec. 215.** 2010 c 3 s 212 (uncodified) is amended to read as
21 follows:

22 **FOR THE HUMAN RIGHTS COMMISSION**

23	General Fund--State Appropriation (FY 2010)	\$2,638,000
24	General Fund--State Appropriation (FY 2011)	\$2,533,000
25	General Fund--Federal Appropriation	((\$1,299,000))
26		<u>\$1,596,000</u>
27	TOTAL APPROPRIATION	((\$6,470,000))
28		<u>\$6,767,000</u>

29 **Sec. 216.** 2009 c 564 s 216 (uncodified) is amended to read as
30 follows:

31 **FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

32	Worker and Community Right-to-Know Account--	
33	State Appropriation	\$20,000
34	Accident Account--State Appropriation	((\$18,453,000))
35		<u>\$18,272,000</u>
36	Medical Aid Account--State Appropriation	((\$18,453,000))

1 \$18,272,000
 2 TOTAL APPROPRIATION ((~~\$36,926,000~~))
 3 \$36,564,000

4 **Sec. 217.** 2009 c 564 s 217 (uncodified) is amended to read as
 5 follows:

6 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**
 7 General Fund--State Appropriation (FY 2010) ((~~\$19,146,000~~))
 8 \$17,343,000
 9 General Fund--State Appropriation (FY 2011) ((~~\$19,176,000~~))
 10 \$18,530,000
 11 General Fund--Federal Appropriation \$228,000
 12 General Fund--Private/Local Appropriation ((~~\$200,000~~))
 13 \$1,321,000
 14 Death Investigations Account--State Appropriation \$148,000
 15 Municipal Criminal Justice Assistance Account--
 16 State Appropriation \$460,000
 17 Washington Auto Theft Prevention Authority Account--
 18 State Appropriation \$5,844,000
 19 TOTAL APPROPRIATION ((~~\$44,974,000~~))
 20 \$43,874,000

21 The appropriations in this section are subject to the following
 22 conditions and limitations:

23 (1) ((~~\$1,874,000~~)) \$169,000 of the general fund--state
 24 appropriation for fiscal year 2010 and ((~~\$1,922,000~~)) \$1,339,000 of the
 25 general fund--state appropriation for fiscal year 2011 are provided
 26 solely for ((~~10~~)) 1 additional basic law enforcement ((~~academies~~))
 27 academy in fiscal year 2010 and ((~~10~~)) 7 additional basic law
 28 enforcement academies in fiscal year 2011.

29 (2) \$1,191,000 of the general fund--state appropriation for fiscal
 30 year 2010 and \$1,191,000 of the general fund--state appropriation for
 31 fiscal year 2011 are provided solely for the Washington association of
 32 sheriffs and police chiefs to continue to develop, maintain, and
 33 operate the jail booking and reporting system (JBRS) and the statewide
 34 automated victim information and notification system (SAVIN).

35 (3) \$5,000,000 of the general fund--state appropriation for fiscal
 36 year 2010 and \$5,000,000 of the general fund--state appropriation for
 37 fiscal year 2011, are provided to the Washington association of

1 sheriffs and police chiefs solely to verify the address and residency
2 of registered sex offenders and kidnapping offenders under RCW
3 9A.44.130. The Washington association of sheriffs and police chiefs
4 shall:

5 (a) Enter into performance-based agreements with units of local
6 government to ensure that registered offender address and residency are
7 verified:

- 8 (i) For level I offenders, every twelve months;
- 9 (ii) For level II offenders, every six months; and
- 10 (iii) For level III offenders, every three months.

11 For the purposes of this subsection, unclassified offenders and
12 kidnapping offenders shall be considered at risk level I unless in the
13 opinion of the local jurisdiction a higher classification is in the
14 interest of public safety.

15 (b) Collect performance data from all participating jurisdictions
16 sufficient to evaluate the efficiency and effectiveness of the address
17 and residency verification program; and

18 (c) Submit a report on the effectiveness of the address and
19 residency verification program to the governor and the appropriate
20 committees of the house of representatives and senate by December 31,
21 each year.

22 The Washington association of sheriffs and police chiefs may retain up
23 to three percent of the amount provided in this subsection for the cost
24 of administration. Any funds not disbursed for address and residency
25 verification or retained for administration may be allocated to local
26 prosecutors for the prosecution costs associated with failing-to-
27 register offenses.

28 (4) \$30,000 of the general fund--state appropriation for fiscal
29 year 2010 is provided solely for the implementation of Second
30 Substitute House Bill No. 2078 (persons with developmental disabilities
31 in correctional facilities or jails). If the bill is not enacted by
32 June 30, 2009, the amount provided in this subsection shall lapse.

33 (5) \$171,000 of the general fund--local appropriation is provided
34 solely to purchase ammunition for the basic law enforcement academy.
35 Jurisdictions with one hundred or more full-time commissioned officers
36 shall reimburse to the criminal justice training commission the costs
37 of ammunition, based on the average cost of ammunition per cadet, for
38 cadets that they enroll in the basic law enforcement academy.

The appropriations in this section are subject to the following conditions and limitations:

(1) Pursuant to RCW 43.135.055, the department is authorized to increase fees related to factory assembled structures, contractor registration, electricians, plumbers, asbestos removal, boilers, elevators, and manufactured home installers. These increases are necessary to support expenditures authorized in this section, consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

(2) \$424,000 of the accident account--state appropriation and \$76,000 of the medical aid account--state appropriation are provided solely for implementation of a community agricultural worker safety grant at the department of agriculture. The department shall enter into an interagency agreement with the department of agriculture to implement the grant.

(3) \$4,850,000 of the medical aid account--state appropriation is provided solely to continue the program of safety and health as authorized by RCW 49.17.210 to be administered under rules adopted pursuant to chapter 34.05 RCW, provided that projects funded involve workplaces insured by the medical aid fund, and that priority is given to projects fostering accident prevention through cooperation between employers and employees or their representatives.

(4) \$150,000 of the medical aid account--state appropriation is provided solely for the department to contract with one or more independent experts to evaluate and recommend improvements to the rating plan under chapter 51.18 RCW, including analyzing how risks are pooled, the effect of including worker premium contributions in adjustment calculations, incentives for accident and illness prevention, return-to-work practices, and other sound risk-management strategies that are consistent with recognized insurance principles.

(5) The department shall continue to conduct utilization reviews of physical and occupational therapy cases at the 24th visit. The department shall continue to report performance measures and targets for these reviews on the agency web site. The reports are due September 30th for the prior fiscal year and must include the amount spent and the estimated savings per fiscal year.

1 (6) The appropriations in this section reflect reductions in the
2 appropriations for the department of labor and industries'
3 administrative expenses. It is the intent of the legislature that
4 these reductions shall be achieved, to the greatest extent possible, by
5 reducing administrative costs only.

6 (7) \$500,000 of the accident account--state appropriation is
7 provided solely for the department to contract with one or more
8 independent experts to oversee and assist the department's
9 implementation of improvements to the rating plan under chapter 51.18
10 RCW, in collaboration with the department and with the department's
11 work group of retrospective rating and workers' compensation
12 stakeholders. The independent experts will validate the impact of
13 recommended changes on retrospective rating participants and
14 nonparticipants, confirm implementation technology changes, and provide
15 other implementation assistance as determined by the department.

16 (8) \$194,000 of the accident account--state appropriation and
17 \$192,000 of the medical aid account--state appropriation are provided
18 solely for implementation of Senate Bill No. 5346 (health care
19 administrative procedures). If the bill is not enacted by June 30,
20 2009, the amounts provided in this subsection shall lapse.

21 (9) \$131,000 of the accident account--state appropriation and
22 \$128,000 of the medical aid account--state appropriation are provided
23 solely for implementation of Senate Bill No. 5613 (stop work orders).
24 If the bill is not enacted by June 30, 2009, the amounts provided in
25 this subsection shall lapse.

26 (10) \$68,000 of the accident account--state appropriation and
27 \$68,000 of the medical aid account--state appropriation are provided
28 solely for implementation of Senate Bill No. 5688 (registered domestic
29 partners). If the bill is not enacted by June 30, 2009, the amounts
30 provided in this subsection shall lapse.

31 (11) \$320,000 of the accident account--state appropriation and
32 \$147,000 of the medical aid account--state appropriation are provided
33 solely for implementation of Senate Bill No. 5873 (apprenticeship
34 utilization). If the bill is not enacted by June 30, 2009, the amounts
35 provided in this subsection shall lapse.

36 ((+15+)) (12) \$73,000 of the general fund--state appropriation for
37 fiscal year 2010, \$66,000 of the general fund--state appropriation for
38 fiscal year 2011, \$606,000 of the accident account--state

1 appropriation, and \$600,000 of the medical aid account--state
2 appropriation are provided solely for the implementation of House Bill
3 No. 1555 (underground economy). If the bill is not enacted by June 30,
4 2009, the amounts provided in this subsection shall lapse.

5 ~~((16))~~ (13) \$574,000 of the accident account--state appropriation
6 and \$579,000 of the medical account--state appropriation are provided
7 solely for the implementation of House Bill No. 1402 (industrial
8 insurance appeals). If the bill is not enacted by June 30, 2009, the
9 amounts provided in this subsection shall lapse.

10 (14) Within statutory guidelines, the boiler program shall explore
11 opportunities to increase program efficiency. Strategies may include
12 the consolidation of routine multiple inspections to the same site and
13 trip planning to ensure the least number of miles traveled.

14 (15) \$16,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$50,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for the crime victims compensation
17 program to pay claims for mental health services for crime victim
18 compensation program clients who have an established relationship with
19 a mental health provider and subsequently obtain coverage under the
20 medicaid program or the medical care services program under chapter
21 74.09 RCW. Prior to making such payment, the program must have
22 determined that payment for the specific treatment or provider is not
23 available under the medicaid or medical care services program. In
24 addition, the program shall make efforts to contact any healthy options
25 or medical care services health plan in which the client may be
26 enrolled to help the client obtain authorization to pay the claim on an
27 out-of-network basis.

28 (16) \$48,000 of the accident account--state appropriation and
29 \$48,000 of the medical aid account--state appropriation are provided
30 solely for the implementation of Substitute House Bill No. 2789
31 (issuance of subpoenas for purposes of agency investigations of
32 underground economic activity). If the bill is not enacted by June 30,
33 2010, the amount provided in this subsection shall lapse.

34 **Sec. 219.** 2010 c 3 s 213 (uncodified) is amended to read as
35 follows:

36 **FOR THE INDETERMINATE SENTENCE REVIEW BOARD**
37 General Fund--State Appropriation (FY 2010) \$1,882,000

1 ((General Fund--State Appropriation (FY 2011) \$1,886,000))
 2 TOTAL APPROPRIATION ((~~\$3,768,000~~)
 3 \$1,882,000)

4 The appropriations in this section are subject to the following
 5 conditions and limitations: Beginning July 1, 2010, the functions of
 6 the indeterminate sentence review board are transferred to the
 7 department of corrections. Funding for these activities for fiscal
 8 year 2011 is appropriated to the department of corrections.

9 **Sec. 220.** 2009 c 564 s 220 (uncodified) is amended to read as
 10 follows:

11 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

12 (1) HEADQUARTERS

13 General Fund--State Appropriation (FY 2010) \$1,913,000
 14 General Fund--State Appropriation (FY 2011) \$1,899,000
 15 Charitable, Educational, Penal, and Reformatory
 16 Institutions Account--State Appropriation \$10,000
 17 TOTAL APPROPRIATION \$3,822,000

18 The appropriations in this subsection are subject to the following
 19 conditions and limitations: In addition to other reductions, the
 20 appropriations in this section reflect reductions targeted specifically
 21 to state government administrative costs. These administrative
 22 reductions shall be achieved, to the greatest extent possible, by
 23 reducing those administrative costs that do not affect direct client
 24 services or direct service delivery or programs.

25 (2) FIELD SERVICES

26 General Fund--State Appropriation (FY 2010) \$4,885,000
 27 General Fund--State Appropriation (FY 2011) \$4,943,000
 28 General Fund--Federal Appropriation ((~~\$1,842,000~~)
 29 \$2,385,000)
 30 General Fund--Private/Local Appropriation ((~~\$3,491,000~~)
 31 \$4,512,000)
 32 Veterans Innovations Program Account--State
 33 Appropriation ((~~\$648,000~~)
 34 \$898,000)
 35 Veteran Estate Management Account--Private/Local
 36 Appropriation \$1,069,000

1 TOTAL APPROPRIATION ((~~\$16,878,000~~))
2 \$18,692,000

3 The appropriations in this subsection are subject to the following
4 conditions and limitations:

5 (a) The department shall collaborate with the department of social
6 and health services to identify and assist eligible general assistance
7 unemployable clients to access the federal department of veterans
8 affairs benefits.

9 (b) \$648,000 of the veterans innovations program account--state
10 appropriation is provided solely for the department to continue support
11 for returning combat veterans through the veterans innovation program,
12 including emergency financial assistance through the defenders' fund
13 and long-term financial assistance through the competitive grant
14 program.

15 (c) In addition to other reductions, the appropriations in this
16 section reflect reductions targeted specifically to state government
17 administrative costs. These administrative reductions shall be
18 achieved, to the greatest extent possible, by reducing those
19 administrative costs that do not affect direct client services or
20 direct service delivery or programs.

21 (3) INSTITUTIONAL SERVICES

22 General Fund--State Appropriation (FY 2010) ((~~\$3,638,000~~))
23 \$3,318,000
24 General Fund--State Appropriation (FY 2011) ((~~\$2,845,000~~))
25 \$2,287,000
26 General Fund--Federal Appropriation ((~~\$50,791,000~~))
27 \$50,224,000
28 General Fund--Private/Local Appropriation ((~~\$31,734,000~~))
29 \$34,070,000
30 TOTAL APPROPRIATION ((~~\$89,008,000~~))
31 \$89,899,000

32 The appropriations in this subsection are subject to the following
33 conditions and limitations:

34 (a) In addition to other reductions, the appropriations in this
35 section reflect reductions targeted specifically to state government
36 administrative costs. These administrative reductions shall be

1 achieved, to the greatest extent possible, by reducing those
2 administrative costs that do not affect direct client services or
3 direct service delivery or programs.

4 (b) The reductions in this subsection shall be achieved through
5 savings from contract revisions and shall not impact the availability
6 of goods and services for residents of the three state veterans homes.

7 **Sec. 221.** 2010 c 3 s 214 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF HEALTH**

10	General Fund--State Appropriation (FY 2010)	((\$107,413,000))
11		<u>\$97,885,000</u>
12	General Fund--State Appropriation (FY 2011)	((\$82,806,000))
13		<u>\$82,547,000</u>
14	General Fund--Federal Appropriation	((\$480,871,000))
15		<u>\$564,709,000</u>
16	General Fund--Private/Local Appropriation	((\$138,846,000))
17		<u>\$162,206,000</u>
18	Hospital Data Collection Account--State Appropriation . .	((\$326,000))
19		<u>\$213,000</u>
20	Health Professions Account--State Appropriation	((\$76,218,000))
21		<u>\$82,378,000</u>
22	Aquatic Lands Enhancement Account--State Appropriation	\$603,000
23	Emergency Medical Services and Trauma Care Systems	
24	Trust Account--State Appropriation	((\$13,531,000))
25		<u>\$13,212,000</u>
26	Safe Drinking Water Account--State Appropriation	\$2,723,000
27	Drinking Water Assistance Account--Federal	
28	Appropriation	((\$22,817,000))
29		<u>\$22,819,000</u>
30	Waterworks Operator Certification--State Appropriation . . .	\$1,519,000
31	Drinking Water Assistance Administrative Account--	
32	State Appropriation	\$326,000
33	State Toxics Control Account--State Appropriation	\$3,600,000
34	Medical Test Site Licensure Account--State	
35	Appropriation	((\$2,117,000))
36		<u>\$2,270,000</u>
37	Youth Tobacco Prevention Account--State Appropriation . . .	\$1,512,000

1 the cost of activities related to the administration of long-term care
2 worker certification. The department is further authorized to increase
3 fees by the amount necessary to implement the regulatory requirements
4 of the following bills: House Bill No. 1414 (health care assistants),
5 House Bill No. 1740 (dental residency licenses), and House Bill No.
6 1899 (retired active physician licenses).

7 (3) \$764,000 of the health professions account--state appropriation
8 is provided solely for the medical quality assurance commission to
9 maintain disciplinary staff and associated costs sufficient to reduce
10 the backlog of disciplinary cases and to continue to manage the
11 disciplinary caseload of the commission.

12 (4) \$57,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$58,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely for the midwifery licensure and
15 regulatory program to offset a reduction in revenue from fees. There
16 shall be no change to the current annual fees for new or renewed
17 licenses for the midwifery program. The department shall convene the
18 midwifery advisory committee on a quarterly basis to address issues
19 related to licensed midwifery.

20 (5) Funding for the human papillomavirus vaccine shall not be
21 included in the department's universal vaccine purchase program in
22 fiscal year 2010. Remaining funds for the universal vaccine purchase
23 program shall be used to continue the purchase of all other vaccines
24 included in the program until May 1, 2010, (~~or until state funds are~~
25 ~~exhausted,~~) at which point state funding for the universal vaccine
26 purchase program shall be discontinued. (~~Funds from section 317 of~~
27 ~~the federal public health services act direct assistance shall not be~~
28 ~~used in lieu of state funds.))~~

29 (6) Beginning July 1, 2010, the department, in collaboration with
30 the department of social and health services, shall maximize the use of
31 existing federal funds, including section 317 of the federal public
32 health services act direct assistance as well as federal funds that may
33 become available under the American recovery and reinvestment act, in
34 order to continue to provide immunizations for low-income, nonmedicaid
35 eligible children up to three hundred percent of the federal poverty
36 level in state-sponsored health programs.

37 (7) The department shall eliminate outreach activities for the

1 health care directives registry and use the remaining amounts to
2 maintain the contract for the registry and minimal staffing necessary
3 to administer the basic entry functions for the registry.

4 (8) Funding in this section reflects a temporary reduction of
5 resources for the 2009-11 fiscal biennium for the state board of health
6 to conduct health impact reviews.

7 (9) Pursuant to RCW 43.135.055 and 43.70.125, the department is
8 authorized to adopt rules to establish a fee schedule to apply to
9 applicants for initial certification surveys of health care facilities
10 for purposes of receiving federal health care program reimbursement.
11 The fees shall only apply when the department has determined that
12 federal funding is not sufficient to compensate the department for the
13 cost of conducting initial certification surveys. The fees for initial
14 certification surveys may be established as follows: Up to \$1,815 for
15 ambulatory surgery centers, up to \$2,015 for critical access hospitals,
16 up to \$980 for end stage renal disease facilities, up to \$2,285 for
17 home health agencies, up to \$2,285 for hospice agencies, up to \$2,285
18 for hospitals, up to \$520 for rehabilitation facilities, up to \$690 for
19 rural health clinics, and up to \$7,000 for transplant hospitals.

20 (10) Funding for family planning grants for fiscal year 2011 is
21 reduced in the expectation that federal funding shall become available
22 to expand coverage of services for individuals through programs at the
23 department of social and health services. In the event that such
24 funding is not provided, the legislature intends to continue funding
25 through a supplemental appropriation at fiscal year 2010 levels.

26 (11) \$16,000,000 of the tobacco prevention and control account--
27 state appropriation is provided solely for local health jurisdictions
28 to conduct core public health functions as defined in RCW 43.70.514.

29 (12) \$100,000 of the health professions account appropriation is
30 provided solely for implementation of Substitute House Bill No. 1414
31 (health care assistants). If the bill is not enacted by June 30, 2009,
32 the amount provided in this subsection shall lapse.

33 (13) \$42,000 of the health professions account--state appropriation
34 is provided solely to implement Substitute House Bill No. 1740
35 (dentistry license issuance). If the bill is not enacted by June 30,
36 2009, the amount provided in this section shall lapse.

37 (14) \$23,000 of the health professions account--state appropriation

1 is provided solely to implement Second Substitute House Bill No. 1899
2 (retired active physician licenses). If the bill is not enacted by
3 June 30, 2009, the amount provided in this section shall lapse.

4 (15) \$12,000 of the general fund--state appropriation for fiscal
5 year 2010 and \$67,000 of the general fund--private/local appropriation
6 are provided solely to implement House Bill No. 1510 (birth
7 certificates). If the bill is not enacted by June 30, 2009, the amount
8 provided in this section shall lapse.

9 (16) \$31,000 of the health professions account is provided for the
10 implementation of Second Substitute Senate Bill No. 5850 (human
11 trafficking). If the bill is not enacted by June 2009, the amount
12 provided in this subsection shall lapse.

13 (17) \$282,000 of the health professions account is provided for the
14 implementation of Substitute Senate Bill No. 5752 (dentists cost
15 recovery). If the bill is not enacted by June 2009, the amount
16 provided in this subsection shall lapse.

17 (18) \$106,000 of the health professions account is provided for the
18 implementation of Substitute Senate Bill No. 5601 (speech language
19 assistants). If the bill is not enacted by June 2009, the amount
20 provided in this subsection shall lapse.

21 (19) Subject to existing resources, the department of health is
22 encouraged to examine, in the ordinary course of business, current and
23 prospective programs, treatments, education, and awareness of
24 cardiovascular disease that are needed for a thriving and healthy
25 Washington.

26 (20) \$10,000 of the general fund--state appropriation for fiscal
27 year 2010 and \$40,000 of the general fund--state appropriation for
28 fiscal year 2011 are provided solely for the department to study cost
29 effective options for collecting demographic data related to the health
30 care professions workforce to be submitted to the legislature by
31 December 1, 2010.

32 (21) \$4,500,000 of the general fund--state appropriation for fiscal
33 year 2011 is provided solely for department of health-funded family
34 planning clinics to increase the capacity of the clinics to provide
35 family planning and reproductive health services to low-income men and
36 women who are not otherwise eligible for services through the
37 department of social and health services medical assistance program and
38 for clinical or other health services associated with sexually

1 transmitted disease testing through the infertility prevention project.
2 Funds appropriated and expended through this subsection shall be
3 distributed in a manner that allocates funding to department of
4 health-funded family planning clinics based upon the percentage of
5 medical assistance family planning waiver clients in calendar year 2005
6 who received services from a provider located in the geographic area
7 served by the department of health-funded clinic.

8 (22) In accordance with RCW 43.70.250 and 43.135.055, the
9 department is authorized to establish or raise fees in fiscal year 2011
10 as necessary to meet the actual costs of conducting business and the
11 appropriation levels in this section. This authorization applies to
12 fees for the review of sewage tank designs, and fees associated with
13 the following professions: Acupuncture, dental, denturist, mental
14 health counselor, nursing, nursing assistant, optometry, radiologic
15 technologist, recreational therapy, respiratory therapy, cardiovascular
16 invasive specialist, and social worker.

17 (23) \$66,000 of the health professions account--state appropriation
18 is provided solely to implement Engrossed Substitute House Bill No.
19 2876 (pain management). If the bill is not enacted by June 30, 2010,
20 the amount provided in this section shall lapse.

21 (24) \$12,000 of the health professions account--state appropriation
22 is provided solely to implement Engrossed Substitute House Bill No.
23 3072 (occupational therapy wound care). If the bill is not enacted by
24 June 30, 2010, the amount provided in this section shall lapse.

25 (25) \$18,000 of the health professions account--state appropriation
26 is provided solely to implement House Bill No. 2888 (pharmacy
27 technician continuing education). If the bill is not enacted by June
28 30, 2010, the amount provided in this section shall lapse.

29 (26) \$10,000 of the health professions account--state appropriation
30 is provided solely to implement Engrossed Substitute House Bill No.
31 2430 (cardiovascular invasive specialists). If the bill is not enacted
32 by June 30, 2010, the amount provided in this section shall lapse.

33 (27) \$23,000 of the general fund--state appropriation is provided
34 solely to implement Engrossed Second Substitute House Bill No. 2961
35 (tracking ephedrine, etc.). If the bill is not enacted by June 30,
36 2010, the amount provided in this section shall lapse.

37 (28) \$58,000 of the general fund--state appropriation is provided

1 solely to implement Second Substitute House Bill No. 2793 (registered
2 domestic partnerships). If the bill is not enacted by June 30, 2010,
3 the amount provided in this section shall lapse.

4 (29) \$100,000 of the general fund--state appropriation is provided
5 solely to implement Second Substitute House Bill No. 2551 (Washington
6 vaccine association). If the bill is not enacted by June 30, 2010, the
7 amount provided in this section shall lapse.

8 (30) The department is authorized to coordinate a tobacco cessation
9 media campaign using all appropriate media with the purpose of
10 maximizing the use of quit-line services and youth smoking prevention.

11 NEW SECTION. Sec. 222. A new section is added to 2009 c 564
12 (uncodified) to read as follows:

13 **FOR THE DEPARTMENT OF CORRECTIONS.** The appropriations to the
14 department of corrections in this act shall be expended for the
15 programs and in the amounts specified herein. However, after May 1,
16 2010, after approval by the director of financial management and unless
17 specifically prohibited by this act, the department may transfer
18 general fund--state appropriations for fiscal year 2010 between
19 programs. The department shall not transfer funds, and the director of
20 financial management shall not approve the transfer, unless the
21 transfer is consistent with the objective of conserving, to the maximum
22 extent possible, the expenditure of state funds and not federal funds.
23 The director of financial management shall notify the appropriate
24 fiscal committees of the senate and house of representatives in writing
25 seven days prior to approving any deviations from appropriation levels.
26 The written notification shall include a narrative explanation and
27 justification of the changes, along with expenditures and allotments by
28 budget unit and appropriation, both before and after any allotment
29 modifications or transfers.

30 **Sec. 223.** 2010 c 3 s 215 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF CORRECTIONS**

33 (1) ADMINISTRATION AND SUPPORT SERVICES

34 General Fund--State Appropriation (FY 2010)	((\$55,622,000))
	<u>\$55,772,000</u>
36 General Fund--State Appropriation (FY 2011)	((\$56,318,000))

1 \$57,089,000
 2 TOTAL APPROPRIATION ((\$111,940,000))
 3 \$112,861,000

4 The appropriations in this subsection are subject to the following
 5 conditions and limitations:

6 (a) Within funds appropriated in this section, the department shall
 7 seek contracts for chemical dependency vendors to provide chemical
 8 dependency treatment of offenders in corrections facilities, including
 9 corrections centers and community supervision facilities, which have
 10 demonstrated effectiveness in treatment of offenders and are able to
 11 provide data to show a successful treatment rate.

12 (b) \$35,000 of the general fund--state appropriation for fiscal
 13 year 2010 and \$35,000 of the general fund--state appropriation for
 14 fiscal year 2011 are provided solely for the support of a statewide
 15 council on mentally ill offenders that includes as its members
 16 representatives of community-based mental health treatment programs,
 17 current or former judicial officers, and directors and commanders of
 18 city and county jails and state prison facilities. The council will
 19 investigate and promote cost-effective approaches to meeting the long-
 20 term needs of adults and juveniles with mental disorders who have a
 21 history of offending or who are at-risk of offending, including their
 22 mental health, physiological, housing, employment, and job training
 23 needs.

24 (c) \$1,323,000 of the general fund--state appropriation for fiscal
 25 year 2011 is provided solely for the functions of the indeterminate
 26 sentence review board, pursuant to Substitute House Bill No. 2957
 27 (indeterminate sentence review board). If the bill is not enacted by
 28 June 30, 2010, the amount provided in this subsection shall lapse.

29 (2) CORRECTIONAL OPERATIONS

30 General Fund--State Appropriation (FY 2010) ((\$456,657,000))
 31 \$457,940,000
 32 General Fund--State Appropriation (FY 2011) ((\$626,303,000))
 33 \$624,963,000
 34 General Fund--Federal Appropriation ((\$185,131,000))
 35 \$186,043,000
 36 (~~General Fund--Private/Local Appropriation \$3,536,000~~)
 37 Washington Auto Theft Prevention Authority Account--
 38 State Appropriation \$5,960,000

1 TOTAL APPROPRIATION ((~~\$1,277,587,000~~))
2 \$1,274,906,000

3 The appropriations in this subsection are subject to the following
4 conditions and limitations:

5 (a) The department may expend funds generated by contractual
6 agreements entered into for mitigation of severe overcrowding in local
7 jails. Any funds generated in excess of actual costs shall be
8 deposited in the state general fund. Expenditures shall not exceed
9 revenue generated by such agreements and shall be treated as a recovery
10 of costs.

11 (b) The department shall accomplish personnel reductions with the
12 least possible impact on correctional custody staff, community custody
13 staff, and correctional industries. For the purposes of this
14 subsection, correctional custody staff means employees responsible for
15 the direct supervision of offenders.

16 (c) During the 2009-11 biennium, when contracts are established or
17 renewed for offender pay phone and other telephone services provided to
18 inmates, the department shall select the contractor or contractors
19 primarily based on the following factors: (i) The lowest rate charged
20 to both the inmate and the person paying for the telephone call; and
21 (ii) the lowest commission rates paid to the department, while
22 providing reasonable compensation to cover the costs of the department
23 to provide the telephone services to inmates and provide sufficient
24 revenues for the activities funded from the institutional welfare
25 betterment account.

26 (d) The Harborview medical center shall provide inpatient and
27 outpatient hospital services to offenders confined in department of
28 corrections facilities at a rate no greater than the average rate that
29 the department has negotiated with other community hospitals in
30 Washington state.

31 (e) A political subdivision which is applying for funding to
32 mitigate one-time impacts associated with construction or expansion of
33 a correctional institution, consistent with WAC 137-12A-030, may apply
34 for the mitigation funds in the fiscal biennium in which the impacts
35 occur or in the immediately succeeding fiscal biennium.

36 (f) Within amounts provided in this subsection, the department,
37 jointly with the department of social and health services, shall
38 identify the number of offenders released through the extraordinary

1 medical placement program, the cost savings to the department of
2 corrections, including estimated medical cost savings, and the costs
3 for medical services in the community incurred by the department of
4 social and health services. The department and the department of
5 social and health services shall jointly report to the office of
6 financial management and the appropriate fiscal committees of the
7 legislature by November 30, 2010.

8 (g) \$11,863,000 of the general fund--state appropriation for fiscal
9 year 2010, \$11,864,000 of the general fund--state appropriation for
10 fiscal year 2011, and \$2,336,000 of the general fund-private/local
11 appropriation are provided solely for in-prison evidence-based programs
12 and for the reception diagnostic center program as part of the offender
13 re-entry initiative.

14 (h) The department shall appropriately transition offenders from
15 custody as close as possible to the offender's earned release date
16 without adversely affecting public safety. The number of offenders
17 held beyond their earned release date should not exceed the number of
18 offenders held beyond their earned release date in fiscal year 2008.
19 By June 1, 2010, the department shall provide a report on its offender
20 population to the office of financial management and the legislative
21 fiscal committees. The report shall include (i) an explanation for the
22 increase in the adult inmate population between the November 2009
23 forecast and the February 2010 forecast; (ii) an explanation for the
24 increase in the number of offenders held beyond their earned release
25 date between fiscal year 2008 and calendar year 2009; and (iii) a
26 description of the department's actions to reduce and maintain the
27 number of offenders held beyond their earned release date to the
28 population level from fiscal year 2008, and a timetable for achieving
29 that goal.

30 (3) COMMUNITY SUPERVISION

31	General Fund--State Appropriation (FY 2010)	((\$151,249,000))
32		<u>\$152,812,000</u>
33	General Fund--State Appropriation (FY 2011)	((\$141,785,000))
34		<u>\$141,644,000</u>
35	TOTAL APPROPRIATION	((\$293,034,000))
36		<u>\$294,456,000</u>

37 The appropriations in this subsection are subject to the following
38 conditions and limitations:

1 (a) The department shall accomplish personnel reductions with the
2 least possible impact on correctional custody staff, community custody
3 staff, and correctional industries. For the purposes of this
4 subsection, correctional custody staff means employees responsible for
5 the direct supervision of offenders.

6 (b) \$2,083,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$2,083,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely to implement Senate Bill No. 5525
9 (state institutions/release). If the bill is not enacted by June 30,
10 2009, the amounts provided in this subsection shall lapse.

11 (c) The appropriations in this subsection are based upon savings
12 assumed from the implementation of Engrossed Substitute Senate Bill No.
13 5288 (supervision of offenders).

14 (d) \$2,791,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$3,166,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for evidence-based community
17 programs and for community justice centers as part of the offender re-
18 entry initiative.

19 (e) \$984,000 of the general fund--state appropriation for fiscal
20 year 2011 is provided solely for supplemental services that will be
21 provided to offenders in lieu of a prison sentence, pursuant to Second
22 Substitute House Bill No. 3045 (confinement alternatives). If the bill
23 is not enacted by June 30, 2010, the amount provided in this subsection
24 shall lapse.

25 (4) CORRECTIONAL INDUSTRIES

26	General Fund--State Appropriation (FY 2010)	\$2,574,000
27	General Fund--State Appropriation (FY 2011)	\$2,565,000
28	TOTAL APPROPRIATION	\$5,139,000

29 The appropriations in this subsection are subject to the following
30 conditions and limitations: \$132,000 of the general fund--state
31 appropriation for fiscal year 2010 and \$132,000 of the general fund--
32 state appropriation for fiscal year 2011 are provided solely for
33 transfer to the jail industries board. The board shall use the amounts
34 provided only for administrative expenses, equipment purchases, and
35 technical assistance associated with advising cities and counties in
36 developing, promoting, and implementing consistent, safe, and efficient
37 offender work programs.

1 (5) INTERAGENCY PAYMENTS

2	General Fund--State Appropriation (FY 2010)	((\$40,455,000))
3		<u>\$40,728,000</u>
4	General Fund--State Appropriation (FY 2011)	((\$40,450,000))
5		<u>\$40,084,000</u>
6	TOTAL APPROPRIATION	((\$80,905,000))
7		<u>\$80,812,000</u>

8 The appropriations in this subsection are subject to the following
9 conditions and limitations:

10 (a) The state prison institutions may use funds appropriated in
11 this subsection to rent uniforms from correctional industries in
12 accordance with existing legislative mandates.

13 (b) The state prison medical facilities may use funds appropriated
14 in this subsection to purchase goods and supplies through hospital or
15 other group purchasing organizations when it is cost effective to do
16 so.

17 **Sec. 224.** 2009 c 564 s 224 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

20	General Fund--State Appropriation (FY 2010)	((\$2,544,000))
21		<u>\$2,504,000</u>
22	General Fund--State Appropriation (FY 2011)	((\$2,550,000))
23		<u>\$2,509,000</u>
24	General Fund--Federal Appropriation	((\$18,125,000))
25		<u>\$18,208,000</u>
26	General Fund--Private/Local Appropriation	((\$20,000))
27		<u>\$30,000</u>
28	TOTAL APPROPRIATION	((\$23,239,000))
29		<u>\$23,251,000</u>

30 The amounts appropriated in this section are subject to the
31 following conditions and limitations: Sufficient amounts are
32 appropriated in this section to support contracts for services that
33 provide employment support and help with life activities for deaf and
34 blind individuals in King county.

35 **Sec. 225.** 2010 c 3 s 216 (uncodified) is amended to read as
36 follows:

1 **FOR THE SENTENCING GUIDELINES COMMISSION**

2	General Fund--State Appropriation (FY 2010)	\$962,000
3	General Fund--State Appropriation (FY 2011)	((\$960,000))
4		<u>\$948,000</u>
5	TOTAL APPROPRIATION	((\$1,922,000))
6		<u>\$1,910,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations:

9 (1) Within the amounts appropriated in this section, the sentencing
10 guidelines commission, in partnership with the courts, shall develop a
11 plan to implement an evidence-based system of community custody for
12 adult felons that will include the consistent use of evidence-based
13 risk and needs assessment tools, programs, supervision modalities, and
14 monitoring of program integrity. The plan for the evidence-based
15 system of community custody shall include provisions for identifying
16 cost-effective rehabilitative programs; identifying offenders for whom
17 such programs would be cost-effective; monitoring the system for cost-
18 effectiveness; and reporting annually to the legislature. In
19 developing the plan, the sentencing guidelines shall consult with: The
20 Washington state institute for public policy; the legislature; the
21 department of corrections; local governments; prosecutors; defense
22 attorneys; victim advocate groups; law enforcement; the Washington
23 federation of state employees; and other interested entities. The
24 sentencing guidelines commission shall report its recommendations to
25 the governor and the legislature by December 1, 2009.

26 (2)(a) Except as provided in subsection (b), during the 2009-11
27 biennium, the reports required by RCW 9.94A.480(2) and 9.94A.850(2) (d)
28 and (h) shall be prepared within the available funds and may be delayed
29 or suspended at the discretion of the commission.

30 (b) The commission shall submit the analysis described in section
31 15 of Engrossed Substitute Senate Bill No. 5288 no later than December
32 1, 2011.

33 (3) Within the amounts appropriated in this section, the sentencing
34 guidelines commission shall perform an assessment of the effectiveness
35 of requiring offenders who violate any conditions of their community
36 custody to serve a mandatory minimum period of 48 hours in total
37 confinement. In conducting the assessment, the sentencing guidelines
38 commission shall perform a review of the research studies to determine

1 if a mandatory minimum confinement policy is an evidence-based
2 practice, investigate the implementation of such a policy in other
3 states, and estimate the fiscal impacts of implementing such a policy
4 in Washington state. The sentencing guidelines commission shall report
5 its findings to the governor and the legislature by December 1, 2010.

6 **Sec. 226.** 2009 c 564 s 226 (uncodified) is amended to read as
7 follows:

8 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

9	General Fund--State Appropriation (FY 2010)	((\$7,054,000))
10		<u>\$5,054,000</u>
11	General Fund--State Appropriation (FY 2011)	((\$53,000))
12		<u>\$2,053,000</u>
13	General Fund--Federal Appropriation	((\$320,561,000))
14		<u>\$324,245,000</u>
15	General Fund--Private/Local Appropriation\$33,825,000
16	Unemployment Compensation Administration	
17	Account--Federal Appropriation	((\$332,904,000))
18		<u>\$361,467,000</u>
19	Administrative Contingency Account--State	
20	Appropriation	((\$293,000))
21		<u>\$295,000</u>
22	Employment Service Administrative Account--	
23	State Appropriation	((\$37,195,000))
24		<u>\$37,669,000</u>
25	TOTAL APPROPRIATION	((\$731,885,000))
26		<u>\$764,608,000</u>

27 The appropriations in this subsection are subject to the following
28 conditions and limitations:

29 (1) \$55,029,000 of the unemployment compensation administration
30 account--federal appropriation is provided from amounts made available
31 to the state by section 903(d) and (f) of the social security act (Reed
32 act). This amount is authorized to continue current unemployment
33 insurance functions and department services to employers and job
34 seekers.

35 (2) \$32,067,000 of the unemployment compensation administration
36 account--federal appropriation is provided from amounts made available
37 to the state by section 903(d) and (f) of the social security act (Reed

1 act). This amount is authorized to fund the replacement of the
2 unemployment insurance tax information system (TAXIS) for the
3 employment security department. This section is subject to section 902
4 of this act.

5 (3) \$110,000 of the unemployment compensation administration
6 account--federal appropriation is provided solely for implementation of
7 Senate Bill No. 5804 (leaving part time work voluntarily). If the bill
8 is not enacted by June 30, 2009, the amounts provided in this
9 subsection shall lapse.

10 (4) \$1,263,000 of the unemployment compensation administration
11 account--federal appropriation is provided solely for implementation of
12 Senate Bill No. 5963 (unemployment insurance). If the bill is not
13 enacted by June 30, 2009, the amounts provided in this subsection shall
14 lapse.

15 (5) \$159,000 of the unemployment compensation account--federal
16 appropriation is provided solely for the implementation of House Bill
17 No. 1555 (underground economy) from funds made available to the state
18 by section 903(d) of the social security act (Reed act).

19 (6) \$293,000 of the administrative contingency--state appropriation
20 for fiscal year 2010 is provided solely for the implementation of House
21 Bill No. 2227 (evergreen jobs act). If the bill is not enacted by June
22 30, 2009, the amounts provided in this subsection shall lapse.

23 (7) \$7,000,000 of the general fund--state appropriation for fiscal
24 year 2010 is provided solely for the implementation of Senate Bill No.
25 5809 (WorkForce employment and training). If the bill is not enacted
26 by June 30, 2009, the amounts provided in this subsection shall lapse.

27 (8) \$444,000 of the unemployment compensation administration
28 account--federal appropriation from funds made available to the state
29 by section 903(d) or (f) of the social security act (Reed act) is
30 provided solely for the implementation of Substitute House Bill No.
31 2648 (unemployment insurance penalties and contribution rates). If the
32 bill is not enacted by June 30, 2010, the amount provided in this
33 subsection shall lapse.

34 (9) \$232,000 of the unemployment compensation administration
35 account--federal appropriation from funds made available to the state
36 by section 903(c) or (f) of the social security act (Reed act) is
37 provided solely for the implementation of Substitute House Bill No.

1 2789 (underground economic activity). If the bill is not enacted by
2 June 30, 2010, the amount provided in this subsection shall lapse.

(End of part)

PART III
NATURAL RESOURCES

Sec. 301. 2009 c 564 s 301 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2010)	((\$441,000))
	<u>\$533,000</u>
General Fund--State Appropriation (FY 2011)	((\$445,000))
	<u>\$53,000</u>
General Fund--Federal Appropriation	((\$30,000))
	<u>\$15,000</u>
General Fund--Private/Local Appropriation	((\$864,000))
	<u>\$574,000</u>
TOTAL APPROPRIATION	((\$1,780,000))
	<u>\$1,175,000</u>

The appropriations in the section are subject to the following conditions and limitations: \$92,000 of the general fund--state appropriation for fiscal year 2010 is provided solely for implementation of Substitute House Bill No. 3132 (Columbia river gorge compact). If the bill is not enacted by June 30, 2010, the amount provided in this subsection shall lapse.

Sec. 302. 2010 c 3 s 301 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2010)	((\$59,991,000))
	<u>\$59,906,000</u>
General Fund--State Appropriation (FY 2011)	((\$58,047,000))
	<u>\$56,564,000</u>
General Fund--Federal Appropriation	((\$82,452,000))
	<u>\$82,270,000</u>
General Fund--Private/Local Appropriation	((\$16,668,000))
	<u>\$16,900,000</u>
Special Grass Seed Burning Research Account--State Appropriation	\$14,000

1 Reclamation Account--State Appropriation ((~~\$3,679,000~~))
2 \$3,665,000
3 Flood Control Assistance Account--State
4 Appropriation ((~~\$1,965,000~~))
5 \$1,959,000
6 Waste Reduction/Recycling/Litter Control--State
7 Appropriation ((~~\$14,554,000~~))
8 \$12,473,000
9 State and Local Improvements Revolving Account
10 (Water Supply Facilities)--State Appropriation ((~~\$426,000~~))
11 \$424,000
12 Freshwater Aquatic Algae Control Account--State
13 Appropriation \$509,000
14 (~~Water Rights Tracking System Account--State~~
15 ~~Appropriation \$116,000~~)
16 Site Closure Account--State Appropriation ((~~\$706,000~~))
17 \$924,000
18 Wood Stove Education and Enforcement Account--
19 State Appropriation \$612,000
20 Worker and Community Right-to-Know Account--
21 State Appropriation ((~~\$1,670,000~~))
22 \$1,664,000
23 State Toxics Control Account--State
24 Appropriation ((~~\$101,705,000~~))
25 \$101,681,000
26 State Toxics Control Account--Private/Local
27 Appropriation ((~~\$383,000~~))
28 \$380,000
29 Local Toxics Control Account--State Appropriation . . . ((~~\$24,730,000~~))
30 \$24,698,000
31 Water Quality Permit Account--State Appropriation . . . ((~~\$37,433,000~~))
32 \$37,252,000
33 Underground Storage Tank Account--State
34 Appropriation ((~~\$3,298,000~~))
35 \$3,277,000
36 Biosolids Permit Account--State Appropriation ((~~\$1,413,000~~))
37 \$1,807,000
38 Hazardous Waste Assistance Account--State

1	Appropriation	((\$5,930,000))
2		<u>\$5,899,000</u>
3	Air Pollution Control Account--State Appropriation	((\$2,030,000))
4		<u>\$2,135,000</u>
5	Oil Spill Prevention Account--State Appropriation	((\$10,688,000))
6		<u>\$10,633,000</u>
7	Air Operating Permit Account--State Appropriation	((\$2,783,000))
8		<u>\$2,766,000</u>
9	Freshwater Aquatic Weeds Account--State	
10	Appropriation	((\$1,699,000))
11		<u>\$1,698,000</u>
12	Oil Spill Response Account--State Appropriation	((\$7,078,000))
13		<u>\$7,077,000</u>
14	Metals Mining Account--State Appropriation	\$14,000
15	<u>Pollution Liability Insurance Program Trust</u>	
16	<u>Account--State Appropriation</u>	<u>\$314,000</u>
17	Water Pollution Control Revolving Account--State	
18	Appropriation	((\$465,000))
19		<u>\$535,000</u>
20	Water Pollution Control Revolving Account--Federal	
21	Appropriation	((\$1,940,000))
22		<u>\$2,222,000</u>
23	<u>Water Rights Processing and Dam Safety Account--</u>	
24	<u>State Appropriation</u>	<u>\$2,500,000</u>
25	TOTAL APPROPRIATION	((\$442,998,000))
26		<u>\$442,772,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations:

29 (1) \$170,000 of the oil spill prevention account--state
30 appropriation is provided solely for a contract with the University of
31 Washington's sea grant program to continue an educational program
32 targeted to small spills from commercial fishing vessels, ferries,
33 cruise ships, ports, and marinas.

34 (2) \$240,000 of the woodstove education and enforcement account--
35 state appropriation is provided solely for citizen outreach efforts to
36 improve understanding of burn curtailments, the proper use of wood
37 heating devices, and public awareness of the adverse health effects of
38 woodsmoke pollution.

1 (3) \$3,000,000 of the general fund--private/local appropriation is
2 provided solely for contracted toxic-site cleanup actions at sites
3 where multiple potentially liable parties agree to provide funding.

4 (4) \$3,600,000 of the local toxics account--state appropriation is
5 provided solely for the standby emergency rescue tug stationed at Neah
6 Bay.

7 (5) \$811,000 of the state toxics account--state appropriation is
8 provided solely for oversight of toxic cleanup at facilities that
9 treat, store, and dispose of hazardous wastes.

10 (6) \$1,456,000 of the state toxics account--state appropriation is
11 provided solely for toxic cleanup at sites where willing parties
12 negotiate prepayment agreements with the department and provide
13 necessary funding.

14 (7) \$558,000 of the state toxics account--state appropriation and
15 \$3,000,000 of the local toxics account--state appropriation are
16 provided solely for grants and technical assistance to Puget Sound-area
17 local governments engaged in updating shoreline master programs.

18 (8) \$950,000 of the state toxics control account--state
19 appropriation is provided solely for measuring water and habitat
20 quality to determine watershed health and assist salmon recovery,
21 beginning in fiscal year 2011.

22 (9) RCW 70.105.280 authorizes the department to assess reasonable
23 service charges against those facilities that store, treat, incinerate,
24 or dispose of dangerous or extremely hazardous waste that involves both
25 a nonradioactive hazardous component and a radioactive component.
26 Service charges may not exceed the costs to the department in carrying
27 out the duties in RCW 70.105.280. The current service charges do not
28 meet the costs of the department to carry out its duties. Pursuant to
29 RCW 43.135.055 and 70.105.280, the department is authorized to increase
30 the service charges no greater than 18 percent for fiscal year 2010 and
31 no greater than 15 percent for fiscal year 2011. Such service charges
32 shall include all costs of public participation grants awarded to
33 qualified entities by the department pursuant to RCW 70.105D.070(5) for
34 facilities at which such grants are recognized as a component of a
35 community relations or public participation plan authorized or required
36 as an element of a consent order, federal facility agreement or agreed
37 order entered into or issued by the department pursuant to any federal
38 or state law governing investigation and remediation of releases of

1 hazardous substances. Public participation grants funded by such
2 service charges shall be in addition to, and not in place of, any other
3 grants made pursuant to RCW 70.105D.070(5). Costs for the public
4 participation grants shall be billed individually to the mixed waste
5 facility associated with the grant.

6 (10) The department is authorized to increase the following fees in
7 the 2009-2011 biennium as necessary to meet the actual costs of
8 conducting business and the appropriation levels in this section:
9 Environmental lab accreditation, dam safety and inspection, biosolids
10 permitting, air emissions new source review, and manufacturer
11 registration and renewal.

12 (11) \$63,000 of the state toxics control account--state
13 appropriation is provided solely for implementation of Substitute
14 Senate Bill No. 5797 (solid waste handling permits). If the bill is
15 not enacted by June 30, 2009, the amount provided in this subsection
16 shall lapse.

17 (12) \$225,000 of the general fund--state appropriation for fiscal
18 year 2010 and \$193,000 of the general fund--state appropriation for
19 fiscal year 2011 are provided solely for implementation of Engrossed
20 Second Substitute Bill No. 5560 (agency climate leadership). If the
21 bill is not enacted by June 30, 2009, the amounts provided in this
22 subsection shall lapse.

23 (13) \$150,000 of the general fund--state appropriation for fiscal
24 year 2010 and (~~(\$150,000)~~) \$100,000 of the general fund--state
25 appropriation for fiscal year 2011 are provided solely for watershed
26 planning implementation grants to continue ongoing efforts to develop
27 and implement water agreements in the Nooksack Basin and the Bertrand
28 watershed. These amounts are intended to support project
29 administration; monitoring; negotiations in the Nooksack watershed
30 between tribes, the department, and affected water users; continued
31 implementation of a flow augmentation project; plan implementation in
32 the Fishtrap watershed; and the development of a water bank.

33 (14) \$215,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$235,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely to provide watershed planning
36 implementation grants for WRIA 32 to implement Substitute House Bill
37 No. 1580 (pilot local water management program). If the bill is not

1 enacted by June 30, 2009, the amounts provided in this subsection shall
2 lapse.

3 (15) \$200,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$200,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely for the purpose of supporting the
6 trust water rights program and processing trust water right transfer
7 applications that improve instream flow.

8 (16)(a) The department shall convene a stock water working group
9 that includes: Legislators, four members representing agricultural
10 interests, three members representing environmental interests, the
11 attorney general or designee, the director of the department of ecology
12 or designee, the director of the department of agriculture or designee,
13 and affected federally recognized tribes shall be invited to send
14 participants.

15 (b) The group shall review issues surrounding the use of permit-
16 exempt wells for stock-watering purposes and may develop
17 recommendations for legislative action.

18 (c) The working group shall meet periodically and report its
19 activities and recommendations to the governor and the appropriate
20 legislative committees by December 1, 2009.

21 (17) \$73,000 of the water quality permit account--state
22 appropriation is provided solely to implement Substitute House Bill No.
23 1413 (water discharge fees). If the bill is not enacted by June 30,
24 2009, the amount provided in this subsection shall lapse.

25 (18) The department shall continue to work with the Columbia Snake
26 River irrigators' association to determine how seasonal water operation
27 and maintenance conservation can be utilized. In implementing this
28 proviso, the department shall also consult with the Columbia River
29 policy advisory group as appropriate.

30 (19) The department shall track any changes in costs, wages, and
31 benefits that would have resulted if House Bill No. 1716 (public
32 contract living wages), as introduced in the 2009 regular session of
33 the legislature, were enacted and made applicable to contracts and
34 related subcontracts entered into, renewed, or extended during the
35 2009-11 biennium. The department shall submit a report to the house of
36 representatives commerce and labor committee and the senate labor,
37 commerce, and consumer protection committee by December 1, 2011. The

1 report shall include data on any aggregate changes in wages and
2 benefits that would have resulted during the 2009-11 biennium.

3 (20) Within amounts appropriated in this section the department
4 shall develop recommendations by December 1, 2009, for a convenient and
5 effective mercury-containing light recycling program for residents,
6 small businesses, and small school districts throughout the state. The
7 department shall consider options including but not limited to, a
8 producer-funded program, a recycler-supported or recycle fee program,
9 a consumer fee at the time of purchase, general fund appropriations, or
10 a currently existing dedicated account. The department shall involve
11 and consult with stakeholders including persons who represent
12 retailers, waste haulers, recyclers, mercury-containing light
13 manufacturers or wholesalers, cities, counties, environmental
14 organizations and other interested parties. The department shall
15 report its findings and recommendations for a recycling program for
16 mercury-containing lights to the appropriate committees of the
17 legislature by December 1, 2009.

18 (21) During the 2009-11 biennium, the department shall implement
19 its cost reimbursement authority for processing water right
20 applications using a competitive bidding process. For each cost
21 reimbursement application, the department shall obtain cost proposals
22 and other necessary information from at least three prequalified costs
23 reimbursement consultants and shall select the lowest responsive
24 bidder.

25 (22) \$140,000 of the freshwater aquatic algae control account--
26 state appropriation is provided solely for grants to cities, counties,
27 tribes, special purpose districts, and state agencies for capital and
28 operational expenses used to manage and study excessive saltwater algae
29 with an emphasis on the periodic accumulation of sea lettuce on Puget
30 Sound beaches.

31 (23) By December 1, 2009, the department in consultation with local
32 governments shall conduct a remedial action grant financing
33 alternatives report. The report shall address options for financing the
34 remedial action grants identified in the department's report, entitled
35 "House Bill 1761, Model Toxics Control Accounts Ten-Year Financing
36 Plan" and shall include but not be limited to the following: (a)
37 Capitalizing cleanup costs using debt insurance; (b) capitalizing
38 cleanup costs using prefunded cost-cap insurance; (c) other contractual

1 instruments with local governments; and (d) an assessment of overall
2 economic benefits of the remedial action grants funded using the
3 instruments identified in this section.

4 (24) \$220,000 of the site closure account--state appropriation is
5 provided solely for litigation expenses associated with the lawsuit
6 filed by energy solutions, inc., against the northwest interstate
7 compact on low-level radioactive waste management, and its executive
8 director.

9 (25) \$300,000 of the state toxics control account--state
10 appropriation is provided solely for piloting and evaluating two
11 coordinated, multijurisdictional permitting teams for nontransportation
12 projects.

13 (26) \$48,000 of the state toxics control account--state
14 appropriation is provided solely for implementation of Second
15 Substitute House Bill No. 1180 (bisphenol A use). If the bill is not
16 enacted by June 30, 2010, the amount provided in this subsection shall
17 lapse.

18 (27) \$2,500,000 of the water rights processing and dam safety
19 account--state appropriation is provided solely for implementation of
20 Second Substitute House Bill No. 2591 (water rights permits). If the
21 bill is not enacted by June 30, 2010, the amount provided in this
22 subsection shall lapse.

23 (28) \$314,000 of the pollution liability insurance trust account--
24 state appropriation is provided solely for Engrossed House Bill No.
25 3023 (pollution liability agency). If the bill is not enacted by June
26 30, 2010, the amount provided in this subsection shall lapse.

27 **Sec. 303.** 2010 c 3 s 302 (uncodified) is amended to read as
28 follows:

29 **FOR THE STATE PARKS AND RECREATION COMMISSION**

30	General Fund--State Appropriation (FY 2010)	((\$23,326,000))
31		<u>\$23,176,000</u>
32	General Fund--State Appropriation (FY 2011)	((\$22,729,000))
33		<u>\$20,337,000</u>
34	General Fund--Federal Appropriation	((\$5,902,000))
35		<u>\$6,902,000</u>
36	General Fund--Private/Local Appropriation	\$73,000
37	Winter Recreation Program Account--State	

1	Appropriation	\$1,558,000
2	Off Road Vehicle Account--State Appropriation	\$239,000
3	Snowmobile Account--State Appropriation	\$4,842,000
4	Aquatic Lands Enhancement Account--State Appropriation	\$363,000
5	Recreation Resources Account--State Appropriation	\$9,802,000
6	NOVA Program Account--State Appropriation	\$9,560,000
7	Parks Renewal and Stewardship Account--State	
8	Appropriation	((\$71,778,000))
9		<u>\$72,978,000</u>
10	Parks Renewal and Stewardship Account--	
11	Private/Local Appropriation	\$300,000
12	TOTAL APPROPRIATION	((\$150,472,000))
13		<u>\$150,130,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations:

16 (1) \$79,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$79,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for a grant for the operation of
19 the Northwest avalanche center.

20 (2) Proceeds received from voluntary donations given by motor
21 vehicle registration applicants shall be used solely for the operation
22 and maintenance of state parks.

23 (3) With the passage of Substitute House Bill No. 2339 (state parks
24 system donation), the legislature finds that it has provided sufficient
25 funds to ensure that all state parks remain open during the 2009-11
26 biennium. The commission shall not close state parks unless the bill
27 is not enacted by June 30, 2009, or revenue collections are
28 insufficient to fund the ongoing operation of state parks. By January
29 10, 2010, the commission shall provide a report to the legislature on
30 their budget and resources related to operating parks for the remainder
31 of the biennium.

32 (4) The commission shall work with the department of general
33 administration to evaluate the commission's existing leases with the
34 intention of increasing net revenue to state parks. The commission
35 shall provide to the office of financial management and the legislative
36 fiscal committees no later than September 30, 2009, a list of leases
37 the commission proposes be managed by the department of general
38 administration.

1 independently. They shall proportionately share the costs of such
2 shared functions. Examples of shared functions may include, but are
3 not limited to, support for personnel, information technology, grant
4 and contract management, invasive species work, legislative
5 coordination, and policy and administrative support of various boards
6 and councils.

7 **Sec. 305.** 2009 c 564 s 305 (uncodified) is amended to read as
8 follows:

9 **FOR THE ENVIRONMENTAL HEARINGS OFFICE**

10	General Fund--State Appropriation (FY 2010)	((\$1,079,000))
11		<u>\$1,062,000</u>
12	General Fund--State Appropriation (FY 2011)	((\$1,074,000))
13		<u>\$1,167,000</u>
14	TOTAL APPROPRIATION	((\$2,153,000))
15		<u>\$2,229,000</u>

16 The appropriations in this section are subject to the following
17 conditions and limitations: \$46,000 of the general fund--state
18 appropriation for fiscal year 2010 is provided solely for tenant
19 improvement costs associated with moving the office to a new location.

20 **Sec. 306.** 2010 c 3 s 303 (uncodified) is amended to read as
21 follows:

22 **FOR THE CONSERVATION COMMISSION**

23	General Fund--State Appropriation (FY 2010)	\$7,575,000
24	General Fund--State Appropriation (FY 2011)	((\$7,590,000))
25		<u>\$7,340,000</u>
26	General Fund--Federal Appropriation	\$1,179,000
27	TOTAL APPROPRIATION	((\$16,344,000))
28		<u>\$16,094,000</u>

29 The appropriations in this section are subject to the following
30 conditions and limitations: The commission is not required to utilize
31 the office of financial management small agency client services under
32 section 903 of this act for contracts and financial support to
33 conservation districts. The commission shall continue to utilize small
34 agency client services for personnel and payroll processing.

1 TOTAL APPROPRIATION ((~~\$324,032,000~~))
2 \$327,163,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) \$294,000 of the aquatic lands enhancement account--state
6 appropriation is provided solely for the implementation of hatchery
7 reform recommendations defined by the hatchery scientific review group.

8 (2) \$355,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$422,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the department to implement a
11 pilot project with the Confederated Tribes of the Colville Reservation
12 to develop expanded recreational fishing opportunities on Lake Rufus
13 Woods and its northern shoreline and to conduct joint enforcement of
14 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to
15 state and tribal intergovernmental agreements developed under the
16 Columbia River water supply program. For the purposes of the pilot
17 project:

18 (a) A fishing permit issued to a nontribal member by the Colville
19 Tribes shall satisfy the license requirement of RCW 77.32.010 on the
20 waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods;

21 (b) The Colville Tribes have agreed to provide to holders of its
22 nontribal member fishing permits a means to demonstrate that fish in
23 their possession were lawfully taken in Lake Rufus Woods;

24 (c) A Colville tribal member identification card shall satisfy the
25 license requirement of RCW 77.32.010 on all waters of Lake Rufus Woods;

26 (d) The department and the Colville Tribes shall jointly designate
27 fishing areas on the north shore of Lake Rufus Woods for the purposes
28 of enhancing access to the recreational fisheries on the lake; and

29 (e) The Colville Tribes have agreed to recognize a fishing license
30 issued under RCW 77.32.470 or RCW 77.32.490 as satisfying the nontribal
31 member fishing permit requirements of Colville tribal law on the
32 reservation portion of the waters of Lake Rufus Woods and at designated
33 fishing areas on the north shore of Lake Rufus Woods;

34 (3) Prior to submitting its 2011-2013 biennial operating and
35 capital budget request related to state fish hatcheries to the office
36 of financial management, the department shall contract with the
37 hatchery scientific review group (HSRG) to review this request. This
38 review shall: (a) Determine if the proposed requests are consistent

1 with HSRG recommendations; (b) prioritize the components of the
2 requests based on their contributions to protecting wild salmonid
3 stocks and meeting the recommendations of the HSRG; and (c) evaluate
4 whether the proposed requests are being made in the most cost effective
5 manner. The department shall provide a copy of the HSRG review to the
6 office of financial management with their agency budget proposal.

7 (4) Within existing funds, the department shall continue
8 implementing its capital program action plan dated September 1, 2007,
9 including the purchase of the necessary maintenance and support costs
10 for the capital programs and engineering tools. The department shall
11 report to the office of financial management and the appropriate
12 committees of the legislature, its progress in implementing the plan,
13 including improvements instituted in its capital program, by September
14 30, 2011.

15 (5) \$1,232,000 of the state wildlife account--state appropriation
16 is provided solely to implement Substitute House Bill No. 1778 (fish
17 and wildlife). If the bill is not enacted by June 30, 2009, the amount
18 provided in this subsection shall lapse.

19 (6) \$400,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$400,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided solely for a state match to support the
22 Puget Sound nearshore partnership between the department and the U.S.
23 army corps of engineers.

24 (7) \$100,000 of the general fund--state appropriation for fiscal
25 year 2010 and \$100,000 of the general fund--state appropriation for
26 fiscal year 2011 are provided solely for removal of derelict gear in
27 Washington waters.

28 (8) The department of fish and wildlife shall dispose of all
29 (~~fixed-wing~~) Cessna aircraft it currently owns. The proceeds from
30 the aircraft shall be deposited into the state wildlife account.
31 Disposal of the aircraft must occur no later than June 30, 2010. The
32 department shall coordinate with the department of natural resources on
33 the installation of fire surveillance equipment into its Partenavia
34 aircraft. The department shall make its Partenavia aircraft available
35 to the department of natural resources on a cost-reimbursement basis
36 for its use in coordinating fire suppression efforts. The two agencies
37 shall develop an interagency agreement that defines how they will share
38 access to the plane.

1 (9) \$50,000 of the general fund--state appropriation for fiscal
2 year 2010 is provided solely for an electron project fish passage study
3 consistent with the recommendations and protocols contained in the 2008
4 electron project downstream fish passage final report.

5 (10) \$60,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$60,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely for implementation of Engrossed
8 Second Substitute Bill No. 5560 (agency climate leadership). If the
9 bill is not enacted by June 30, 2009, the amounts provided in this
10 subsection shall lapse.

11 (11) If sufficient new revenues are not identified to continue
12 hatchery operations, within the constraints of legally binding tribal
13 agreements, the department shall dispose of, by removal, sale, lease,
14 reversion, or transfer of ownership, the following hatcheries:
15 McKernan, Colville, Omak, Bellingham, Arlington, and Mossyrock.
16 Disposal of the hatcheries must occur by June 30, 2011, and any
17 proceeds received from disposal shall be deposited in the state
18 wildlife account. Within available funds, the department shall provide
19 quarterly reports on the progress of disposal to the office of
20 financial management and the appropriate fiscal committees of the
21 legislature. The first report shall be submitted no later than
22 September 30, 2009.

23 (12) \$100,000 of the eastern Washington pheasant enhancement
24 account--state appropriation is provided solely for the department to
25 support efforts to enhance permanent and temporary pheasant habitat on
26 public and private lands in Grant, Franklin, and Adams counties. The
27 department may support efforts by entities including conservation
28 districts, nonprofit organizations, and landowners, and must require
29 such entities to provide significant nonstate matching resources, which
30 may be in the form of funds, material, or labor.

31 (13) Within the amounts appropriated in this section, the
32 department of fish and wildlife shall develop a method for allocating
33 its administrative and overhead costs proportionate to program fund
34 use. As part of its 2011-2013 biennial operating budget, the
35 department shall submit a decision package that rebalances expenditure
36 authority for all agency funds based upon proportionate contributions.

37 (14) Within the amounts appropriated in this section, the
38 department shall identify additional opportunities for partnerships in

1 order to keep fish hatcheries operational. Such partnerships shall aim
2 to maintain fish production and salmon recovery with less reliance on
3 state operating funds.

4 (15) Within the amounts appropriated in this section, the
5 department shall work with stakeholders to develop a long-term funding
6 model that sustains the department's work of conserving species and
7 habitat, providing sustainable recreational and commercial
8 opportunities and using sound business practices. The funding model
9 analysis shall assess the appropriate uses of each fund source and
10 whether the department's current and projected revenue levels are
11 adequate to sustain its current programs. The department shall report
12 its recommended funding model including supporting analysis and
13 stakeholder participation summary to the office of financial management
14 and the appropriate committees of the legislature by October 1, 2010.

15 (16) By October 1, 2010, the department shall enter into an
16 interagency agreement with the department of natural resources for land
17 management services for the department's wildlife conservation and
18 recreation lands. Land management services may include but are not
19 limited to records management, real estate services such as surveying,
20 and land acquisition and disposal services. The interagency agreement
21 shall describe business processes, service delivery expectations, cost,
22 and timing. In the agreement, the department shall define its roles
23 and responsibilities. A draft agreement shall be submitted to the
24 office of financial management and the appropriate fiscal committees of
25 the legislature by July 1, 2010.

26 (17) \$56,000 of the state wildlife account--state appropriation is
27 provided solely for implementation of Substitute House Bill No. 1838
28 (Spirit Lake trout fishery). If the bill is not enacted by June 30,
29 2010, the amount provided in this subsection shall lapse.

30 (18) \$123,000 of the state wildlife account--state appropriation is
31 provided solely for implementation of Substitute House Bill No. 2569
32 (outdoor recreation information). If the bill is not enacted by June
33 30, 2010, the amount provided in this subsection shall lapse.

34 (19) \$3,407,000 of the hydraulic project approval account--state
35 appropriation is provided solely for implementation of House Bill No.
36 3037 (hydraulic project permitting). If the bill is not enacted by
37 June 30, 2010, the amount provided in this subsection shall lapse.

1	Appropriation	\$3,490,000
2	Disaster Response Account--State Appropriation	\$5,000,000
3	Forest and Fish Support Account--State Appropriation	\$8,000,000
4	Aquatic Land Dredged Material Disposal Site	
5	Account--State Appropriation	\$1,336,000
6	Natural Resources Conservation Areas Stewardship	
7	Account--State Appropriation	((\$34,000))
8		<u>\$177,000</u>
9	State Toxics Control Account--State Appropriation	((\$80,000))
10		<u>\$720,000</u>
11	Air Pollution Control Account--State Appropriation	\$569,000
12	NOVA Program Account--State Appropriation	\$982,000
13	Derelict Vessel Removal Account--State Appropriation	\$1,754,000
14	Agricultural College Trust Management Account--	
15	State Appropriation	((\$2,643,000))
16		<u>\$1,945,000</u>
17	TOTAL APPROPRIATION	((\$267,834,000))
18		<u>\$275,578,000</u>

19 The appropriations in this section are subject to the following
20 conditions and limitations:

21 (1) \$1,355,000 of the general fund--state appropriation for fiscal
22 year 2010 and ((~~\$1,299,000~~)) \$349,000 of the general fund--state
23 appropriation for fiscal year 2011 are provided solely for deposit into
24 the agricultural college trust management account and are provided
25 solely to manage approximately 70,700 acres of Washington State
26 University's agricultural college trust lands.

27 (2) \$11,128,000 of the general fund--state appropriation for fiscal
28 year 2010, ((~~\$11,128,000~~)) \$22,670,000 of the general fund--state
29 appropriation for fiscal year 2011, and \$5,000,000 of the disaster
30 response account--state appropriation are provided solely for emergency
31 fire suppression. None of the general fund and disaster response
32 account amounts provided in this subsection may be used to fund agency
33 indirect and administrative expenses. Agency indirect and
34 administrative costs shall be allocated among the agency's remaining
35 accounts and appropriations. The department of natural resources shall
36 submit a quarterly report to the office of financial management and the
37 legislative fiscal committees detailing information on current and

1 planned expenditures from the disaster response account. This work
2 shall be done in coordination with the military department.

3 (3) \$5,000,000 of the forest and fish support account--state
4 appropriation is provided solely for adaptive management, monitoring,
5 and participation grants to tribes. If federal funding for this
6 purpose is reinstated, the amount provided in this subsection shall
7 lapse.

8 (4) \$600,000 of the derelict vessel removal account--state
9 appropriation is provided solely for removal of derelict and abandoned
10 vessels that have the potential to contaminate Puget Sound.

11 (5) \$666,000 of the general fund--federal appropriation is provided
12 solely to implement House Bill No. 2165 (forest biomass energy
13 project). If the bill is not enacted by June 30, 2009, the amount
14 provided in this subsection shall lapse.

15 (6) \$5,000 of the general fund--state appropriation for fiscal year
16 2010 and \$5,000 of the general fund--state appropriation for fiscal
17 year 2011 are provided solely to implement Substitute House Bill No.
18 1038 (specialized forest products). If the bill is not enacted by June
19 30, 2009, the amounts provided in this subsection shall lapse.

20 (7) \$440,000 of the state general fund--state appropriation for
21 fiscal year 2010 and \$440,000 of the state general fund--state
22 appropriation for fiscal year 2011 are provided solely for forest work
23 crews that support correctional camps and are contingent upon
24 continuing operations of Naselle youth camp at the level provided in
25 fiscal year 2008. The department shall consider using up to \$2,000,000
26 of the general fund--federal appropriation to support and utilize
27 correctional camp crews to implement natural resource projects approved
28 by the federal government for federal stimulus funding.

29 (8) The department of natural resources shall dispose of the King
30 Air aircraft it currently owns. Before disposal and within existing
31 funds, the department shall transfer specialized equipment for fire
32 surveillance to the department of fish and wildlife's Partenavia
33 aircraft. Disposal of the aircraft must occur no later than June 30,
34 2010, and the proceeds from the sale of the aircraft shall be deposited
35 into the natural resources equipment revolving fund. At the expiration
36 of current leases, the department shall lease facilities in eastern
37 Washington sufficient to house the necessary aircraft, mechanics, and
38 pilots used for forest fire prevention and suppression.

1 (9) \$30,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$30,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for implementation of Engrossed
4 Second Substitute Bill No. 5560 (agency climate leadership). If the
5 bill is not enacted by June 30, 2009, the amounts provided in this
6 subsection shall lapse.

7 (10) The department may not include shellfish growers in its
8 aquatic habitat conservation plan if those growers have been issued a
9 federal nationwide permit by the United States army corps of engineers,
10 in consultation with the United States fish and wildlife service and
11 the national marine fisheries service, which concludes that existing
12 shellfish cultivation activities on department-managed aquatic lands
13 will not pose jeopardy to threatened or endangered species under the
14 federal endangered species act.

15 (11) \$1,030,000 of the aquatic lands enhancement account--state
16 appropriation for fiscal year 2011 is provided solely for continuing
17 scientific studies already underway as part of the adaptive management
18 process. Funds may not be used to initiate new studies unless the
19 department secures new federal funding for the adaptive management
20 process.

21 (12) By October 1, 2010, the department shall enter into an
22 interagency agreement with the department of fish and wildlife for
23 providing land management services on the department of fish and
24 wildlife's wildlife conservation and recreation lands. Land management
25 services may include but are not limited to records management, real
26 estate services such as surveying, and land acquisition and disposal
27 services. The interagency agreement shall describe business processes,
28 service delivery expectations, cost, and timing. A draft agreement
29 shall be submitted to the office of financial management and the
30 appropriate fiscal committees of the legislature by July 1, 2010.

31 (13) \$143,000 of the natural resources conservation areas
32 stewardship account--state appropriation is provided solely for
33 implementation of House Bill No. 3122 (natural heritage program/DNR).
34 If the bill is not enacted by June 30, 2010, the amount provided in
35 this subsection shall lapse.

36 (14) \$41,000 of the forest development account--state
37 appropriation, \$44,000 of the resources management cost account--state
38 appropriation, and \$2,000 of the agricultural college trust management

1 account--state appropriation are provided solely for the implementation
2 of Second Substitute House Bill No. 2481 (DNR forest biomass
3 agreements). If the bill is not enacted by June 30, 2010, the amount
4 provided in this subsection shall lapse.

5 (15) \$56,000 of the general fund--state appropriation for fiscal
6 year 2011 is provided solely for implementation of Engrossed Second
7 Substitute House Bill No. 2480 (sustainable recreation work group). If
8 the bill is not enacted by June 30, 2010, the amount provided in this
9 subsection shall lapse.

10 **Sec. 309.** 2010 c 3 s 305 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF AGRICULTURE**

13	General Fund--State Appropriation (FY 2010)	((\$12,329,000))
14		<u>\$12,331,000</u>
15	General Fund--State Appropriation (FY 2011)	((\$11,271,000))
16		<u>\$16,122,000</u>
17	General Fund--Federal Appropriation	((\$11,565,000))
18		<u>\$21,008,000</u>
19	General Fund--Private/Local Appropriation	\$194,000
20	Aquatic Lands Enhancement Account--State	
21	Appropriation	\$2,559,000
22	State Toxics Control Account--State Appropriation	((\$4,298,000))
23		<u>\$4,714,000</u>
24	Water Quality Permit Account--State Appropriation	\$61,000
25	TOTAL APPROPRIATION	((\$42,277,000))
26		<u>\$56,989,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations:

29 (1) \$350,000 of the aquatic lands enhancement account appropriation
30 is provided solely for funding to the Pacific county noxious weed
31 control board to eradicate remaining spartina in Willapa Bay.

32 (2) \$19,000 of the general fund--state appropriation for fiscal
33 year 2010 and \$6,000 of the general fund--state appropriation for
34 fiscal year 2011 are provided solely to implement Substitute Senate
35 Bill No. 5797 (solid waste handling permits). If the bill is not
36 enacted by June 30, 2009, the amounts provided in this subsection shall
37 lapse.

1 (3) The department is authorized to establish or increase the
2 following fees in the 2009-11 biennium as necessary to meet the actual
3 costs of conducting business: Christmas tree grower licensing, nursery
4 dealer licensing, plant pest inspection and testing, and commission
5 merchant licensing.

6 (4) Fair account allocations to youth shows for each fiscal year of
7 the 2009-2011 biennium must be at a minimum equal to those in the
8 previous biennium.

9 (5) \$5,420,000 of the general fund--state appropriation for fiscal
10 year 2011 and \$2,782,000 of the general fund--federal appropriation are
11 provided solely for implementation of Substitute House Bill No. 2863
12 (food assistance/ag dept). Within amounts appropriated in this
13 subsection, \$65,000 of the general fund--state appropriation for fiscal
14 year 2011 is provided solely for a contract with a food distribution
15 program for communities in the southwestern portion of the state and
16 for workers impacted by timber and salmon fishing closures and
17 reductions. The department may not charge administrative overhead or
18 expenses to this contract. If the bill is not enacted by June 30,
19 2010, the amounts provided in this subsection shall lapse.

20 (6) The department shall, if public or private funds are available,
21 partner with eligible public and private entities with experience in
22 food collection and distribution to review funding sources for eight
23 full-time volunteers in the AmeriCorps VISTA program to conduct
24 outreach to local growers, agricultural donors, and community
25 volunteers. Public and private partners shall also be utilized to
26 coordinate gleaning unharvested tree fruits and fresh produce for
27 distribution to individuals throughout Washington state.

28 **Sec. 310.** 2009 c 564 s 310 (uncodified) is amended to read as
29 follows:

30 **FOR THE WASHINGTON POLLUTION LIABILITY REINSURANCE PROGRAM**

31 Pollution Liability Insurance Program Trust
32 Account--State Appropriation ((\$638,000))
33 \$324,000

34 The appropriation in this section is subject to the following
35 conditions and limitations: Beginning July 1, 2010, the functions of
36 the pollution liability insurance agency set forth in chapters 70.148

1 and 70.149 RCW are transferred to the department of ecology. Funding
2 for these activities for fiscal year 2011 is appropriated to the
3 department of ecology.

4 **Sec. 311.** 2010 c 3 s 306 (uncodified) is amended to read as
5 follows:

6 **FOR THE PUGET SOUND PARTNERSHIP**

7	General Fund--State Appropriation (FY 2010)	((\$3,172,000))
8		<u>\$3,181,000</u>
9	General Fund--State Appropriation (FY 2011)	((\$3,143,000))
10		<u>\$3,000,000</u>
11	General Fund--Federal Appropriation	((\$3,623,000))
12		<u>\$7,236,000</u>
13	Aquatic Lands Enhancement Account--State	
14	Appropriation	((\$500,000))
15		<u>\$496,000</u>
16	State Toxics Control Account--State Appropriation	((\$896,000))
17		<u>\$817,000</u>
18	TOTAL APPROPRIATION	((\$11,334,000))
19		<u>\$14,730,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations:

22 (1) \$305,000 of the general fund--state appropriation for fiscal
23 year 2010 is provided solely for measuring water and habitat quality to
24 determine watershed health and assist salmon recovery.

25 (2) \$896,000 of the state toxics control account--state
26 appropriation is provided solely for activities that contribute to
27 Puget Sound protection and recovery, including provision of independent
28 advice and assessment of the state's oil spill prevention,
29 preparedness, and response programs, including review of existing
30 activities and recommendations for any necessary improvements. The
31 partnership may carry out this function through an existing committee,
32 such as the ecosystem coordination board or the leadership council, or
33 may appoint a special advisory council. Because this is a unique
34 statewide program, the partnership may invite participation from
35 outside the Puget Sound region.

36 (3) Within the amounts appropriated in this section, the Puget
37 Sound partnership shall facilitate an ongoing monitoring consortium to

1 integrate monitoring efforts for storm water, water quality, watershed
2 health, and other indicators to enhance monitoring efforts in Puget
3 Sound.

4 (4) The Puget Sound partnership shall work with Washington State
5 University and the environmental protection agency to secure funding
6 for the beach watchers program.

7 (5) \$877,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$877,000 of the general fund--state appropriation for
9 fiscal year 2011 are provided solely to support public education and
10 volunteer programs. The partnership is directed to distribute the
11 majority of funding as grants to local organizations, local
12 governments, and education, communication, and outreach network
13 partners. The partnership shall track progress for this activity
14 through the accountability system of the Puget Sound partnership.

15 (6) The Puget Sound partnership shall negotiate an agreement with
16 the recreation and conservation office to consolidate or share certain
17 administrative _ functions _ currently _ performed _ by _ each _ agency
18 independently. They shall proportionately share the costs of such
19 shared functions. Examples of shared functions may include, but are
20 not limited to, support for personnel, information technology, grant
21 and _ contract _ management, _ invasive _ species _ work, _ legislative
22 coordination, and policy and administrative support of various boards
23 and councils.

(End of part)

PART IV
TRANSPORTATION

Sec. 401. 2010 c 3 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2010)	\$1,436,000
General Fund--State Appropriation (FY 2011)	\$1,535,000
Architects' License Account--State Appropriation	\$767,000
Professional Engineers' Account--State Appropriation	(\$3,586,000)
	<u>\$3,580,000</u>
Real Estate Commission Account--State Appropriation	\$10,047,000
Master License Account--State Appropriation	(\$15,718,000)
	<u>\$16,014,000</u>
Uniform Commercial Code Account--State Appropriation	\$3,100,000
Real Estate Education Account--State Appropriation	\$276,000
Real Estate Appraiser Commission Account--State Appropriation	\$1,692,000
Business and Professions Account--State Appropriation	(\$15,270,000)
	<u>\$15,272,000</u>
Real Estate Research Account--State Appropriation	(\$320,000)
	<u>\$471,000</u>
Geologists' Account--State Appropriation	\$53,000
Derelict Vessel Removal Account--State Appropriation	\$31,000
TOTAL APPROPRIATION	(\$53,831,000)
	<u>\$54,274,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Pursuant to RCW 43.135.055, the department is authorized to increase fees for cosmetologists, funeral directors, cemeteries, court reporters and appraisers. These increases are necessary to support the expenditures authorized in this section, consistent with RCW 43.24.086.

(2) \$1,352,000 of the business and professions account--state

1 appropriation is provided solely to implement Substitute Senate Bill
2 No. 5391 (tattoo and body piercing). If the bill is not enacted by
3 June 30, 2009, the amount provided in this subsection shall lapse.

4 (3) \$358,000 of the business and professions account--state
5 appropriation is provided solely to implement Senate Bill No. 6126
6 (professional athletics). If the bill is not enacted by June 30, 2009,
7 the amount provided in this subsection shall lapse.

8 (4) \$151,000 of the real estate research account appropriation is
9 provided solely to implement House Bill No. 2697 (real estate broker
10 licensure fees). If the bill is not enacted by June 30, 2010, the
11 amount provided in this subsection shall lapse.

12 (5) \$294,000 of the master license account appropriation is
13 provided solely to implement Engrossed Substitute House Bill No. 1775
14 (limousine carriers). If the bill is not enacted by June 30, 2010, the
15 amount provided in this subsection shall lapse.

16 **Sec. 402.** 2010 c 3 s 402 (uncodified) is amended to read as
17 follows:

18 **FOR THE STATE PATROL**

19	General Fund--State Appropriation (FY 2010)	((\$40,668,000))
20		<u>\$37,996,000</u>
21	General Fund--State Appropriation (FY 2011)	((\$39,566,000))
22		<u>\$34,888,000</u>
23	General Fund--Federal Appropriation	((\$11,401,000))
24		<u>\$15,769,000</u>
25	General Fund--Private/Local Appropriation	((\$3,568,000))
26		<u>\$4,981,000</u>
27	Death Investigations Account--State Appropriation	((\$6,022,000))
28		<u>\$5,561,000</u>
29	Enhanced 911 Account--State Appropriation	\$589,000
30	County Criminal Justice Assistance Account--State	
31	Appropriation	\$3,122,000
32	Municipal Criminal Justice Assistance Account--State	
33	Appropriation	\$1,245,000
34	Fire Service Trust Account--State Appropriation	\$131,000
35	<u>Vehicle License Fraud Account--State Appropriation</u>	<u>\$270,000</u>
36	Disaster Response Account--State Appropriation	\$8,002,000
37	Fire Service Training Account--State Appropriation	((\$8,717,000))

1 appropriation is provided solely for the firefighter apprenticeship
2 training program.

3 (6) \$48,000 of the fingerprint identification account--state
4 appropriation is provided solely to implement Substitute House Bill No.
5 1621 (consumer loan companies). If the bill is not enacted by June 30,
6 2009, the amounts provided in this subsection shall lapse.

7 (7) In accordance with RCW 43.43.942, 46.52.085, and 43.135.055,
8 the state patrol is authorized to increase the following fees in fiscal
9 year 2011 as necessary to meet the actual costs of conducting business
10 and the appropriation levels in this section: Collision records
11 requests; fire training academy courses; and fire training academy dorm
12 accommodations.

13 (8) \$270,000 of the vehicle license fraud account--state
14 appropriation is provided solely to implement Second Substitute House
15 Bill No. 2436 (vehicle license fraud). If the bill is not enacted by
16 June 30, 2010, the amount provided in this subsection shall lapse.

17 (9) \$24,000 of the fingerprint identification account--state
18 appropriation is provided solely to implement House Bill No. 2437
19 (criminal background checks). If the bill is not enacted by June 30,
20 2010, the amount provided in this subsection shall lapse.

(End of part)

PART V
EDUCATION

Sec. 501. 2009 c 564 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2010)	((\$34,798,000))
	<u>\$35,219,000</u>
General Fund--State Appropriation (FY 2011)	((\$32,969,000))
	<u>\$29,468,000</u>
General Fund--Federal Appropriation	((\$86,571,000))
	<u>\$87,433,000</u>
TOTAL APPROPRIATION	((\$154,338,000))
	<u>\$152,120,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of ((~~\$22,532,000~~)) \$22,900,000 of the general fund--state appropriation for fiscal year 2010 and ((~~\$21,023,000~~)) \$20,678,000 of the general fund--state appropriation for fiscal year 2011 is for state agency operations.

(a) ((~~\$11,792,000~~)) \$11,226,000 of the general fund--state appropriation for fiscal year 2010 and ((~~\$11,325,000~~)) \$10,563,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) Within the amounts provided in this subsection, the superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) Within amounts appropriated in this subsection (1)(a), the office of the superintendent of public instruction, consistent with WAC 392-121-182 (alternative learning experience requirements) which requires documentation of alternative learning experience student headcount and full-time equivalent (FTE) enrollment claimed for basic education funding, shall provide, via the monthly report of school

1 district enrollment, accurate monthly headcount and FTE enrollments for
2 students in internet alternative learning experience (ALE) programs as
3 well as information about resident and serving districts.

4 (iii) (~~(\$927,000)~~) \$920,000 of the general fund--state
5 appropriation for fiscal year 2010 and \$941,000 of the general fund--
6 state appropriation for fiscal year 2011 are provided solely for
7 research and development activities associated with the development of
8 options for new school finance systems, including technical staff,
9 reprogramming, and analysis of alternative student funding formulae.
10 Within this amount is \$150,000 for the state board of education for
11 further development of accountability systems, and \$150,000 for the
12 professional educator standards board for continued development of
13 teacher certification and evaluation systems.

14 (b) \$965,000 of the general fund--state appropriation for fiscal
15 year 2010 and (~~(\$965,000)~~) \$946,000 of the general fund--state
16 appropriation for fiscal year 2011 are provided solely for the
17 operation and expenses of the state board of education, including basic
18 education assistance activities.

19 (c) \$5,366,000 of the general fund--state appropriation for fiscal
20 year 2010 and (~~(\$5,264,000)~~) \$3,049,000 of the general fund--state
21 appropriation for fiscal year 2011 are provided solely to the
22 professional educator standards board for the following:

23 (i) \$1,070,000 in fiscal year 2010 and (~~(\$1,070,000)~~) \$1,058,000 in
24 fiscal year 2011 are for the operation and expenses of the Washington
25 professional educator standards board, including administering the
26 alternative routes to certification program, pipeline for paraeducators
27 conditional scholarship loan program, and the retooling to teach math
28 conditional loan program;

29 (ii) \$3,431,000 of the general fund--state appropriation for fiscal
30 year 2010 and (~~(\$3,431,000)~~) \$1,378,000 of the general fund--state
31 appropriation for fiscal year 2011 are for conditional scholarship
32 loans and mentor stipends provided through the alternative routes to
33 certification program administered by the professional educator
34 standards board. (~~Of these amounts:~~

35 ~~(A) — \$500,000 — each — year — is — for — conditional — scholarships — to~~
36 ~~candidates seeking an endorsement in special education, math, science,~~
37 ~~or bilingual education;~~

1 ~~(B) \$2,372,000 for fiscal year 2010 and \$2,372,000 for fiscal year~~
2 ~~2011 are for the expansion of conditional scholarship loans and mentor~~
3 ~~stipends — for — individuals — enrolled — in — alternative — route — state~~
4 ~~partnership programs and seeking endorsements in math, science, special~~
5 ~~education or bilingual education;~~

6 ~~(C) Any remaining amounts in this subsection (c) shall be used to~~
7 ~~continue existing alternative routes to certification programs; and~~

8 ~~(D) Candidates seeking math and science endorsements under (A) and~~
9 ~~(B) of this subsection shall receive priority for funding)) Of the~~
10 ~~amounts provided, a minimum of eighty-five percent of endorsements~~
11 ~~supported in scholarship grants shall be in special education, math,~~
12 ~~science, or bilingual education;~~

13 (iii) \$231,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$231,000 of the general fund--state appropriation for
15 fiscal year 2011 are for the recruiting Washington teachers program;

16 (iv) \$200,000 of the general fund--state appropriation for fiscal
17 year 2010 and ~~((\$200,000))~~ \$50,000 of the general fund--state
18 appropriation for fiscal year 2011 provided in this subsection are for
19 \$4,000 conditional loan stipends for paraeducators participating in the
20 pipeline for paraeducators program;

21 (v) \$244,000 of the general fund--state appropriation for fiscal
22 year 2010 and \$244,000 of the general fund--state appropriation for
23 fiscal year 2011 are for conditional stipends for certificated teachers
24 pursuing a mathematics or science endorsement under the retooling to
25 teach mathematics or science program. The conditional stipends shall
26 be for endorsement exam fees as well as stipends for teachers who must
27 also complete coursework; and

28 (vi) \$102,000 of the general fund--state appropriation for fiscal
29 year 2010 is provided for the implementation of Second Substitute
30 Senate Bill No. 5973 (student achievement gap). The professional
31 educator standards board (PESB) will convene a workgroup to identify a
32 list of model standards for cultural competency and make
33 recommendations to the education committees of the legislature on the
34 strengths and weaknesses of those standards. Funding is also included
35 here in the amount of \$10,000 for the PESB to develop an interagency
36 agreement with the center for the improvement of student learning to
37 participate.

1 (d) (~~(\$1,099,000)~~) \$1,349,000 of the general fund--state
2 appropriation for fiscal year 2010 and \$144,000 of the general fund--
3 state appropriation for fiscal year 2011 are provided solely for
4 replacement of the apportionment system, which includes the processes
5 that collect school district budget and expenditure information,
6 staffing characteristics, and the student enrollments that drive the
7 funding process.

8 (e) (~~(\$1,227,000)~~) \$1,140,000 of the general fund--state
9 appropriation for fiscal year 2010 and \$1,227,000 of the general fund--
10 state appropriation for fiscal year 2011 are provided solely for the
11 creation of a statewide data base of longitudinal student information.
12 This amount is conditioned on the department satisfying the
13 requirements in section 902 of this act.

14 (f) \$75,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$75,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely to promote the financial literacy
17 of students. The effort will be coordinated through the financial
18 education public-private partnership.

19 (g) To the maximum extent possible, in adopting new agency rules or
20 making any changes to existing rules or policies related to the fiscal
21 provisions in the administration of part V of this act, the office of
22 the superintendent of public instruction shall attempt to request
23 approval through the normal legislative budget process.

24 (h) \$44,000 of the general fund--state appropriation for fiscal
25 year 2010 and \$45,000 of the general fund--state appropriation for
26 fiscal year 2011 are provided solely for the implementation of
27 Substitute Senate Bill No. 5248 (enacting the interstate compact on
28 educational opportunity for military children).

29 (i) \$700,000 of the general fund--state appropriation for fiscal
30 year 2010 and \$700,000 of the general fund--state appropriation for
31 fiscal year 2011 are provided solely for the implementation of
32 Substitute Senate Bill No. 5410 (online learning).

33 (j) \$25,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$25,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for project citizen, a program
36 sponsored by the national conference of state legislatures and the
37 center for civic education to promote participation in government by
38 middle school students.

1 (k) \$2,518,000 of the general fund--state appropriation for fiscal
2 year 2011 is provided solely for the implementation of Substitute House
3 Bill No. 2776 (K-12 education funding). If the bill is not enacted by
4 June 30, 2010, the amount provided in this subsection shall lapse.

5 (l) \$133,000 of the general fund--state appropriation for fiscal
6 year 2011 is provided solely for the implementation of Engrossed Second
7 Substitute House Bill No. 3026 (state and federal civil rights laws).
8 If the bill is not enacted by June 30, 2010, the amount provided in
9 this subsection shall lapse.

10 (m) The state superintendent of public instruction shall analyze
11 the feasibility of increasing efficiencies and economies of scale in
12 school district administrative and noninstructional operations through
13 shared-service arrangements and school district cooperatives. The
14 analysis shall include an examination of administrative efficiencies
15 achieved through school district cooperatives currently, and strategies
16 for replicating best practices. The report is to be submitted to the
17 fiscal committees of the legislature by December 15, 2010.

18 (n) Beginning in the 2010-11 school year, the superintendent of
19 public instruction shall require all districts receiving general
20 apportionment funding for alternative learning experience (ALE)
21 programs as defined in WAC 392-121-182 to provide separate financial
22 accounting of expenditures for the ALE programs offered in district or
23 with a provider, including but not limited to private companies and
24 multidistrict cooperatives.

25 (2) (~~(\$12,836,000)~~) \$12,320,000 of the general fund--state
26 appropriation for fiscal year 2010, (~~(\$12,407,000)~~) \$8,791,000 of the
27 general fund--state appropriation for fiscal year 2011, and \$55,890,000
28 of the general fund--federal appropriation are for statewide programs.

29 (a) HEALTH AND SAFETY

30 (i) \$2,541,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$2,541,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely for a corps of nurses located at
33 educational service districts, as determined by the superintendent of
34 public instruction, to be dispatched to the most needy schools to
35 provide direct care to students, health education, and training for
36 school staff.

37 (ii) \$100,000 of the general fund--state appropriation for fiscal
38 year 2010 and \$100,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for a school safety training
2 program provided by the criminal justice training commission. The
3 commission, in collaboration with the school safety center advisory
4 committee, shall provide the school safety training for all school
5 administrators and school safety personnel, including school safety
6 personnel hired after the effective date of this section.

7 (iii) \$9,670,000 of the general fund--federal appropriation is
8 provided for safe and drug free schools and communities grants for drug
9 and violence prevention activities and strategies.

10 (iv) \$96,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$96,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for the school safety center in
13 the office of the superintendent of public instruction subject to the
14 following conditions and limitations:

15 (A) The safety center shall: Disseminate successful models of
16 school safety plans and cooperative efforts; provide assistance to
17 schools to establish a comprehensive safe school plan; select models of
18 cooperative efforts that have been proven successful; act as an
19 information dissemination and resource center when an incident occurs
20 in a school district either in Washington or in another state;
21 coordinate activities relating to school safety; review and approve
22 manuals and curricula used for school safety models and training; and
23 develop and maintain a school safety information web site.

24 (B) The school safety center advisory committee shall develop a
25 training program, using the best practices in school safety, for all
26 school safety personnel.

27 (v) \$70,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$70,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely for the youth suicide prevention
30 program.

31 (vi) \$50,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$50,000 of the general fund--state appropriation for
33 fiscal year 2011 are provided solely for a nonviolence and leadership
34 training program provided by the institute for community leadership.

35 (b) TECHNOLOGY

36 (i) (~~(\$1,939,000)~~) \$1,842,000 of the general fund--state
37 appropriation for fiscal year 2010 and (~~(\$1,939,000)~~) \$1,163,000 of the
38 general fund--state appropriation for fiscal year 2011 are provided

1 solely for K-20 telecommunications network technical support in the K-
2 12 sector to prevent system failures and avoid interruptions in school
3 utilization of the data processing and video-conferencing capabilities
4 of the network. These funds may be used to purchase engineering and
5 advanced technical support for the network.

6 (ii) \$1,475,000 of the general fund--state appropriation for fiscal
7 year 2010, \$1,045,000 of the general fund--state appropriation for
8 fiscal year 2011, and \$435,000 of the general fund--federal
9 appropriation are provided solely for implementing a comprehensive data
10 system to include financial, student, and educator data. The office of
11 the superintendent of public instruction will convene a data governance
12 group to create a comprehensive needs-requirement document, conduct a
13 gap analysis, and define operating rules and a governance structure for
14 K-12 data collections. (~~A preliminary report shall be submitted to
15 the fiscal committees and the education policy committees of the house
16 of representatives and senate by November 2009.~~)

17 (iii) (~~(\$1,656,000)~~) \$4,139,000 of the general fund--federal
18 appropriation for (~~fiscal year 2010 and \$2,483,000 of the general
19 fund--federal appropriation for fiscal year 2011 of~~) the American
20 recovery and reinvestment act (ARRA) (~~2009~~) funds for education
21 technology are provided solely for distribution to school districts, by
22 formula, as provided in the ARRA and related federal guidelines.
23 (~~(\$4,139,000 of the general fund--federal appropriation of the American
24 recovery and reinvestment act (ARRA) 2009 funds for education
25 technology shall be awarded to local education agencies through a
26 competitive grant process.~~)

27 (c) GRANTS AND ALLOCATIONS

28 (i) \$1,329,000 of the general fund--state appropriation for fiscal
29 year 2010 and \$1,329,000 of the general fund--state appropriation for
30 fiscal year 2011 are provided solely for the special services pilot
31 project to include up to seven participating districts. The office of
32 the superintendent of public instruction shall allocate these funds to
33 the district or districts participating in the pilot program according
34 to the provisions of RCW 28A.630.016.

35 (ii) \$750,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$750,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for the Washington state achievers

1 scholarship program. The funds shall be used to support community
2 involvement officers that recruit, train, and match community volunteer
3 mentors with students selected as achievers scholars.

4 (iii) \$25,000 of the general fund--state appropriation for fiscal
5 year 2010 (~~((and \$25,000 of the general fund--state appropriation for~~
6 ~~fiscal year 2011 are))~~) is provided solely for developing and
7 disseminating curriculum and other materials documenting women's role
8 in World War II.

9 (iv) \$175,000 of the general fund--state appropriation for fiscal
10 year 2010 and \$175,000 of the general fund--state appropriation for
11 fiscal year 2011 are provided solely for incentive grants for districts
12 and pilot projects to develop preapprenticeship programs. Incentive
13 grant awards up to \$10,000 each shall be used to support the program's
14 design, school/business/labor agreement negotiations, and recruiting
15 high school students for preapprenticeship programs in the building
16 trades and crafts.

17 (v) (~~(\$3,219,000)~~) \$2,898,000 of the general fund--state
18 appropriation for fiscal year 2010 (~~((and \$3,220,000 of the general~~
19 ~~fund--state appropriation for fiscal year 2011 are))~~) is provided solely
20 for the dissemination of the navigation 101 curriculum to all
21 districts. The funding shall support electronic student planning tools
22 and software for analyzing the impact of navigation 101 on student
23 performance, as well as grants to a maximum of one hundred school
24 districts each year, based on progress and need for the implementation
25 of the navigation 101 program. The implementation grants shall be
26 awarded to a cross-section of school districts reflecting a balance of
27 geographic and demographic characteristics. Within the amounts
28 provided, the office of the superintendent of public instruction will
29 create a navigation 101 accountability model to analyze the impact of
30 the program.

31 (vi) (~~(\$675,000)~~) \$627,000 of the general fund--state appropriation
32 for fiscal year 2010 and \$675,000 of the general fund--state
33 appropriation for fiscal year 2011 are provided solely for
34 implementation of a statewide program for comprehensive dropout
35 prevention, intervention, and retrieval.

36 (vii) (~~(\$50,000)~~) \$40,000 of the general fund--state appropriation
37 for fiscal year 2010 (~~((and \$50,000 of the general fund--state~~
38 ~~appropriation for fiscal year 2011 are))~~) is provided solely for program

1 initiatives to address the educational needs of Latino students and
2 families. Using the full amounts of the appropriations under this
3 subsection (2)(c)(vii), the office of the superintendent of public
4 instruction shall contract with the Seattle community coalition of
5 compaña quetzal to provide for three initiatives: (A) Early childhood
6 education; (B) parent leadership training; and (C) high school success
7 and college preparation programs.

8 (viii) (~~(\$75,000)~~) \$60,000 of the general fund--state appropriation
9 for fiscal year 2010 and \$75,000 of the general fund--state
10 appropriation for fiscal year 2011 are provided solely for a pilot
11 project to encourage bilingual high school students to pursue public
12 school teaching as a profession. Using the full amounts of the
13 appropriation under this subsection, the office of the superintendent
14 of public instruction shall contract with the Latino/a educational
15 achievement project (LEAP) to work with school districts to identify
16 and mentor not fewer than fifty bilingual students in their junior year
17 of high school, encouraging them to become bilingual instructors in
18 schools with high English language learner populations. Students shall
19 be mentored by bilingual teachers and complete a curriculum developed
20 and approved by the participating districts.

21 (ix) \$145,000 of the general fund--state appropriation for fiscal
22 year 2010 (~~(and \$145,000 of the general fund--state appropriation for~~
23 ~~fiscal year 2011 are))~~ is provided solely to the office of the
24 superintendent of public instruction to enhance the reading skills of
25 students with dyslexia by implementing the findings of the dyslexia
26 pilot program. Funds shall be used to provide information and training
27 to classroom teachers and reading specialists, for development of a
28 dyslexia handbook, and to take other statewide actions to improve the
29 reading skills of students with dyslexia. The training program shall
30 be delivered regionally through the educational service districts.

31 (x) \$97,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$97,000 of the general fund--state appropriation for
33 fiscal year 2011 are provided solely to support vocational student
34 leadership organizations.

35 (xi) (~~(\$25,000 of the general--state appropriation for fiscal year~~
36 ~~2010 and \$25,000 of the general fund--state appropriation for fiscal~~
37 ~~year 2011 are provided solely for the communities in school program in~~
38 ~~Pierce county))~~ \$125,000 of the general fund--state appropriation for

1 fiscal year 2011 is provided solely for the implementation of House
2 Bill No. 2731 (at-risk children program). If the bill is not enacted
3 by June 30, 2010, the amount provided in this subsection shall lapse.

4 (xii) \$500,000 of the general fund--state appropriation for fiscal
5 year 2011 is provided solely for drop-out prevention and reengagement
6 programs developed by the office of the superintendent of public
7 instruction.

8 **Sec. 502.** 2009 c 564 s 502 (uncodified) is amended to read as
9 follows:

10 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**
11 **APPORTIONMENT**

12	General Fund--State Appropriation (FY 2010)	((\$5,083,217,000))
13		<u>\$5,126,108,000</u>
14	General Fund--State Appropriation (FY 2011)	((\$5,103,543,000))
15		<u>\$5,178,606,000</u>
16	TOTAL APPROPRIATION	((\$10,186,760,000))
17		<u>\$10,304,714,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations:

20 (1) Each general fund fiscal year appropriation includes such funds
21 as are necessary to complete the school year ending in the fiscal year
22 and for prior fiscal year adjustments.

23 (2) Allocations for certificated staff salaries for the 2009-10 and
24 2010-11 school years shall be determined using formula-generated staff
25 units calculated pursuant to this subsection. Staff allocations for
26 small school enrollments in (e) through (g) of this subsection shall be
27 reduced for vocational full-time equivalent enrollments. Staff
28 allocations for small school enrollments in grades K-6 shall be the
29 greater of that generated under (a) of this subsection, or under (d)
30 and (e) of this subsection. Certificated staffing allocations shall be
31 as follows:

32 (a) On the basis of each 1,000 average annual full-time equivalent
33 enrollments, excluding full-time equivalent enrollment otherwise
34 recognized for certificated staff unit allocations under (d) through
35 (g) of this subsection:

36 (i) Four certificated administrative staff units per thousand full-
37 time equivalent students in grades K-12;

1 (ii)(A) For the 2009-10 school year, fifty-three and two-tenths
2 certificated instructional staff units per thousand full-time
3 equivalent students in grades K-4 for districts that enroll fewer than
4 25 percent of their total full-time equivalent student enrollment in
5 grades K-4 in digital or online learning programs defined in WAC 392-
6 121-182.

7 (B) For the 2009-10 school year, all other districts shall be
8 allocated a minimum of forty-nine certificated instructional staff
9 units per 1,000 full-time-equivalent (FTE) students in grades K through
10 four, and shall be allocated additional certificated instructional
11 staff units to equal the documented staffing level in grades K through
12 four, up to a maximum of fifty-three and two-tenths certificated
13 instructional staff units per 1,000 FTE students.

14 (C) ~~((Certificated — instructional — staff — allocations — in — this~~
15 ~~subsection (2)(a)(ii) exceeding the statutory minimums established in~~
16 ~~RCW 28A.150.260 shall not be considered part of basic education.))~~ For
17 the 2010-11 school year, fifty-two and sixty-nine one-hundredths
18 certificated instructional staff units per thousand full-time
19 equivalent students in grades K-4 for districts that enroll fewer than
20 25 percent of their total full-time equivalent student enrollment in
21 grades K-4 in digital or online learning programs defined in WAC 392-
22 121-182.

23 (D) For the 2010-11 school year, all other districts shall be
24 allocated a minimum of forty-nine certificated instructional staff
25 units per 1,000 FTE students in grades K-3, and forty-six certificated
26 instructional staff units per 1,000 FTE students in grade 4, and shall
27 be allocated additional certificated instructional staff units to equal
28 the documented staffing level in grades K-4, up to a maximum of fifty-
29 two and sixty-nine one-hundredths certificated instructional staff
30 units per 1,000 FTE students;

31 (iii) Forty-six certificated instructional staff units per thousand
32 full-time equivalent students in grades 5-12;

33 (iv) Certificated staff allocations in this subsection (2)(a)
34 exceeding the statutory minimums established in RCW 28A.150.260 shall
35 not be considered part of basic education;

36 (b) For school districts with a minimum enrollment of 250 full-time
37 equivalent students whose full-time equivalent student enrollment count
38 in a given month exceeds the first of the month full-time equivalent

1 enrollment count by 5 percent, an additional state allocation of 110
2 percent of the share that such increased enrollment would have
3 generated had such additional full-time equivalent students been
4 included in the normal enrollment count for that particular month;

5 (c)(i) On the basis of full-time equivalent enrollment in:

6 (A) Vocational education programs approved by the superintendent of
7 public instruction, a maximum of 0.92 certificated instructional staff
8 units and 0.08 certificated administrative staff units for each 19.5
9 full-time equivalent vocational students; and

10 (B) Skills center programs meeting the standards for skills center
11 funding established in January 1999 by the superintendent of public
12 instruction with a waiver allowed for skills centers in current
13 operation that are not meeting this standard until the 2010-11 school
14 year, 0.92 certificated instructional staff units and 0.08 certificated
15 administrative units for each 16.67 full-time equivalent vocational
16 students;

17 (ii) Vocational full-time equivalent enrollment shall be reported
18 on the same monthly basis as the enrollment for students eligible for
19 basic support, and payments shall be adjusted for reported vocational
20 enrollments on the same monthly basis as those adjustments for
21 enrollment for students eligible for basic support; and

22 (iii) Indirect cost charges by a school district to vocational-
23 secondary programs shall not exceed 15 percent of the combined basic
24 education and vocational enhancement allocations of state funds;

25 (d) For districts enrolling not more than twenty-five average
26 annual full-time equivalent students in grades K-8, and for small
27 school plants within any school district which have been judged to be
28 remote and necessary by the state board of education and enroll not
29 more than twenty-five average annual full-time equivalent students in
30 grades K-8:

31 (i) For those enrolling no students in grades 7 and 8, 1.76
32 certificated instructional staff units and 0.24 certificated
33 administrative staff units for enrollment of not more than five
34 students, plus one-twentieth of a certificated instructional staff unit
35 for each additional student enrolled; and

36 (ii) For those enrolling students in grades 7 or 8, 1.68
37 certificated instructional staff units and 0.32 certificated

1 administrative staff units for enrollment of not more than five
2 students, plus one-tenth of a certificated instructional staff unit for
3 each additional student enrolled;

4 (e) For specified enrollments in districts enrolling more than
5 twenty-five but not more than one hundred average annual full-time
6 equivalent students in grades K-8, and for small school plants within
7 any school district which enroll more than twenty-five average annual
8 full-time equivalent students in grades K-8 and have been judged to be
9 remote and necessary by the state board of education:

10 (i) For enrollment of up to sixty annual average full-time
11 equivalent students in grades K-6, 2.76 certificated instructional
12 staff units and 0.24 certificated administrative staff units; and

13 (ii) For enrollment of up to twenty annual average full-time
14 equivalent students in grades 7 and 8, 0.92 certificated instructional
15 staff units and 0.08 certificated administrative staff units;

16 (f) For districts operating no more than two high schools with
17 enrollments of less than three hundred average annual full-time
18 equivalent students, for enrollment in grades 9-12 in each such school,
19 other than alternative schools:

20 (i) For remote and necessary schools enrolling students in any
21 grades 9-12 but no more than twenty-five average annual full-time
22 equivalent students in grades K-12, four and one-half certificated
23 instructional staff units and one-quarter of a certificated
24 administrative staff unit;

25 (ii) For all other small high schools under this subsection, nine
26 certificated instructional staff units and one-half of a certificated
27 administrative staff unit for the first sixty average annual full time
28 equivalent students, and additional staff units based on a ratio of
29 0.8732 certificated instructional staff units and 0.1268 certificated
30 administrative staff units per each additional forty-three and one-half
31 average annual full time equivalent students.

32 Units calculated under (f)(ii) of this subsection shall be reduced
33 by certificated staff units at the rate of forty-six certificated
34 instructional staff units and four certificated administrative staff
35 units per thousand vocational full-time equivalent students;

36 (g) For each nonhigh school district having an enrollment of more
37 than seventy annual average full-time equivalent students and less than

1 one hundred eighty students, operating a grades K-8 program or a grades
2 1-8 program, an additional one-half of a certificated instructional
3 staff unit; and

4 (h) For each nonhigh school district having an enrollment of more
5 than fifty annual average full-time equivalent students and less than
6 one hundred eighty students, operating a grades K-6 program or a grades
7 1-6 program, an additional one-half of a certificated instructional
8 staff unit.

9 (3) Allocations for classified salaries for the 2009-10 and 2010-11
10 school years shall be calculated using formula-generated classified
11 staff units determined as follows:

12 (a) For enrollments generating certificated staff unit allocations
13 under subsection (2)(e) through (h) of this section, one classified
14 staff unit for each 2.94 certificated staff units allocated under such
15 subsections;

16 (b) For all other enrollment in grades K-12, including vocational
17 full-time equivalent enrollments, one classified staff unit for each
18 58.75 average annual full-time equivalent students; and

19 (c) For each nonhigh school district with an enrollment of more
20 than fifty annual average full-time equivalent students and less than
21 one hundred eighty students, an additional one-half of a classified
22 staff unit.

23 (4) Fringe benefit allocations shall be calculated at a rate of
24 14.43 percent in the 2009-10 school year and 14.43 percent in the 2010-
25 11 school year for certificated salary allocations provided under
26 subsection (2) of this section, and a rate of 16.58 percent in the
27 2009-10 school year and 16.58 percent in the 2010-11 school year for
28 classified salary allocations provided under subsection (3) of this
29 section.

30 (5) Insurance benefit allocations shall be calculated at the
31 maintenance rate specified in section 504(2) of this act, based on the
32 number of benefit units determined as follows:

33 (a) The number of certificated staff units determined in subsection
34 (2) of this section; and

35 (b) The number of classified staff units determined in subsection
36 (3) of this section multiplied by 1.152. This factor is intended to
37 adjust allocations so that, for the purposes of distributing insurance

1 benefits, full-time equivalent classified employees may be calculated
2 on the basis of 1440 hours of work per year, with no individual
3 employee counted as more than one full-time equivalent.

4 (6)(a) For nonemployee-related costs associated with each
5 certificated staff unit allocated under subsection (2)(a), (b), and (d)
6 through (g) of this section, there shall be provided a maximum of
7 \$10,179 per certificated staff unit in the 2009-10 school year and a
8 maximum of (~~(\$10,445)~~) \$10,424 per certificated staff unit in the 2010-
9 11 school year.

10 (b) For nonemployee-related costs associated with each vocational
11 certificated staff unit allocated under subsection (2)(c)(i)(A) of this
12 section, there shall be provided a maximum of \$24,999 per certificated
13 staff unit in the 2009-10 school year and a maximum of (~~(\$25,449)~~)
14 \$25,399 per certificated staff unit in the 2010-11 school year.

15 (c) For nonemployee-related costs associated with each vocational
16 certificated staff unit allocated under subsection (2)(c)(i)(B) of this
17 section, there shall be provided a maximum of \$19,395 per certificated
18 staff unit in the 2009-10 school year and a maximum of (~~(\$19,744)~~)
19 \$19,705 per certificated staff unit in the 2010-11 school year.

20 (7) Allocations for substitute costs for classroom teachers shall
21 be distributed at a maintenance rate of \$607.44 for the 2009-10 and
22 2010-11 school years per allocated classroom teachers exclusive of
23 salary increase amounts provided in section 504 of this act. Solely
24 for the purposes of this subsection, allocated classroom teachers shall
25 be equal to the number of certificated instructional staff units
26 allocated under subsection (2) of this section, multiplied by the ratio
27 between the number of actual basic education certificated teachers and
28 the number of actual basic education certificated instructional staff
29 reported statewide for the prior school year.

30 (8) Any school district board of directors may petition the
31 superintendent of public instruction by submission of a resolution
32 adopted in a public meeting to reduce or delay any portion of its basic
33 education allocation for any school year. The superintendent of public
34 instruction shall approve such reduction or delay if it does not impair
35 the district's financial condition. Any delay shall not be for more
36 than two school years. Any reduction or delay shall have no impact on
37 levy authority pursuant to RCW 84.52.0531 and local effort assistance
38 pursuant to chapter 28A.500 RCW.

1 (9) Funding in this section is sufficient to provide additional
2 service year credits to educational staff associates pursuant to
3 chapter 403, Laws of 2007.

4 (10)(a) The superintendent may distribute a maximum of
5 (~~(\$7,288,000)~~) \$7,536,000 outside the basic education formula during
6 fiscal years 2010 and 2011 as follows:

7 (i) For fire protection for school districts located in a fire
8 protection district as now or hereafter established pursuant to chapter
9 52.04 RCW, a maximum of \$567,000 may be expended in fiscal year 2010
10 and a maximum of (~~(\$577,000)~~) \$576,000 may be expended in fiscal year
11 2011;

12 (ii) For summer vocational programs at skills centers, a maximum of
13 \$2,385,000 may be expended for the 2010 fiscal year and a maximum of
14 \$2,385,000 for the 2011 fiscal year. 20 percent of each fiscal year
15 amount may carry over from one year to the next;

16 (iii) A maximum of (~~(\$404,000)~~) \$403,000 may be expended for school
17 district emergencies; and

18 (iv) A maximum of \$485,000 each fiscal year may be expended for
19 programs providing skills training for secondary students who are
20 enrolled in extended day school-to-work programs, as approved by the
21 superintendent of public instruction. The funds shall be allocated at
22 a rate not to exceed \$500 per full-time equivalent student enrolled in
23 those programs.

24 (b) Funding in this section is sufficient to fund a maximum of 1.6
25 FTE enrollment for skills center students pursuant to chapter 463, Laws
26 of 2007.

27 (c) \$250,000 of the general fund--state appropriation for fiscal
28 year 2011 is provided solely for implementation of Substitute House
29 Bill No. 2852 (college-level learning). If the bill is not enacted by
30 June 30, 2010, the amount provided in this subsection shall lapse.

31 (11) For purposes of RCW 84.52.0531, the increase per full-time
32 equivalent student is 4.0 percent from the 2008-09 school year to the
33 2009-10 school year and 4.0 percent from the 2009-10 school year to the
34 2010-11 school year.

35 (12) If two or more school districts consolidate and each district
36 was receiving additional basic education formula staff units pursuant
37 to subsection (2)(b) through (g) of this section, the following shall
38 apply:

1 (a) For three school years following consolidation, the number of
2 basic education formula staff units shall not be less than the number
3 of basic education formula staff units received by the districts in the
4 school year prior to the consolidation; and

5 (b) For the fourth through eighth school years following
6 consolidation, the difference between the basic education formula staff
7 units received by the districts for the school year prior to
8 consolidation and the basic education formula staff units after
9 consolidation pursuant to subsection (2)(a) through (h) of this section
10 shall be reduced in increments of twenty percent per year.

11 **Sec. 503.** 2009 c 564 s 503 (uncodified) is amended to read as
12 follows:

13 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION**
14 **EMPLOYEE COMPENSATION.** (1) The following calculations determine the
15 salaries used in the general fund allocations for certificated
16 instructional, certificated administrative, and classified staff units
17 under section 502 of this act:

18 (a) Salary allocations for certificated instructional staff units
19 shall be determined for each district by multiplying the district's
20 certificated instructional total base salary shown on LEAP Document 2
21 by the district's average staff mix factor for certificated
22 instructional staff in that school year, computed using LEAP Document
23 1; and

24 (b) Salary allocations for certificated administrative staff units
25 and classified staff units for each district shall be based on the
26 district's certificated administrative and classified salary allocation
27 amounts shown on LEAP Document 2.

28 (2) For the purposes of this section:

29 (a) "LEAP Document 1" means the staff mix factors for certificated
30 instructional staff according to education and years of experience, as
31 developed by the legislative evaluation and accountability program
32 committee on April 22, 2009, at 08:22 hours; and

33 (b) "LEAP Document 2" means the school year salary allocations for
34 certificated administrative staff and classified staff and derived and
35 total base salaries for certificated instructional staff as developed
36 by the legislative evaluation and accountability program committee on
37 April 22, 2009, at 08:22 hours.

(3) Incremental fringe benefit factors shall be applied to salary adjustments at a rate of 14.43 percent for school year 2009-10 and 14.43 percent for school year 2010-11 for certificated staff and for classified staff 16.58 percent for school year 2009-10 and 16.58 percent for the 2010-11 school year.

(4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary allocation schedules for certificated instructional staff are established for basic education salary allocations:

Table Of Total Base Salaries For Certificated Instructional Staff
For School Year 2009-10

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	34,237	35,162	36,120	37,080	40,161	42,145	41,047	44,128	46,115
1	34,698	35,635	36,606	37,608	40,721	42,695	41,503	44,617	46,589
2	35,137	36,083	37,064	38,144	41,248	43,242	41,963	45,067	47,061
3	35,589	36,545	37,536	38,650	41,749	43,791	42,398	45,494	47,538
4	36,033	37,031	38,028	39,180	42,297	44,354	42,855	45,971	48,030
5	36,492	37,494	38,501	39,718	42,823	44,921	43,319	46,425	48,523
6	36,963	37,943	38,984	40,262	43,352	45,462	43,794	46,885	48,993
7	37,790	38,786	39,841	41,187	44,324	46,491	44,685	47,820	49,989
8	39,002	40,052	41,132	42,590	45,768	48,016	46,086	49,266	51,512
9		41,363	42,497	44,008	47,260	49,584	47,503	50,757	53,081
10			43,877	45,498	48,794	51,195	48,995	52,291	54,692
11				47,032	50,399	52,849	50,528	53,897	56,345
12				48,517	52,048	54,571	52,122	55,545	58,068
13					53,737	56,335	53,773	57,234	59,831
14					55,434	58,165	55,471	59,042	61,663
15					56,877	59,679	56,913	60,577	63,266
16 or more					58,014	60,871	58,051	61,788	64,531

((Table Of Total Base Salaries For Certificated Instructional Staff
For School Year 2010-11

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 or PHD
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1	0	34,237	35,162	36,120	37,080	40,161	42,145	41,047	44,128	46,115
2	1	34,698	35,635	36,606	37,608	40,721	42,695	41,503	44,617	46,589
3	2	35,137	36,083	37,064	38,144	41,248	43,242	41,963	45,067	47,061
4	3	35,589	36,545	37,536	38,650	41,749	43,791	42,398	45,494	47,538
5	4	36,033	37,031	38,028	39,180	42,297	44,354	42,855	45,971	48,030
6	5	36,492	37,494	38,501	39,718	42,823	44,921	43,319	46,425	48,523
7	6	36,963	37,943	38,984	40,262	43,352	45,462	43,794	46,885	48,993
8	7	37,790	38,786	39,841	41,187	44,324	46,491	44,685	47,820	49,989
9	8	39,002	40,052	41,132	42,590	45,768	48,016	46,086	49,266	51,512
10	9		41,363	42,497	44,008	47,260	49,584	47,503	50,757	53,081
11	10			43,877	45,498	48,794	51,195	48,995	52,291	54,692
12	11				47,032	50,399	52,849	50,528	53,897	56,345
13	12				48,517	52,048	54,571	52,122	55,545	58,068
14	13					53,737	56,335	53,773	57,234	59,831
15	14					55,434	58,165	55,471	59,042	61,663
16	15					56,877	59,679	56,913	60,577	63,266
17	16 or more					58,014	60,871	58,051	61,788	64,531))

Table Of Total Base Salaries For Certificated Instructional Staff

For School Year 2010-11

<u>Years of</u>	<u>Service</u>	<u>BA</u>	<u>BA+15</u>	<u>BA+30</u>	<u>BA+45</u>	<u>BA+90</u>	<u>BA+135</u>	<u>MA</u>	<u>MA+45</u>	<u>OR Ph.D.</u>
20										<u>MA+90</u>
21	<u>0</u>	<u>34,048</u>	<u>34,968</u>	<u>35,920</u>	<u>36,875</u>	<u>39,939</u>	<u>41,913</u>	<u>40,820</u>	<u>43,885</u>	<u>45,860</u>
22	<u>1</u>	<u>34,506</u>	<u>35,439</u>	<u>36,403</u>	<u>37,400</u>	<u>40,496</u>	<u>42,459</u>	<u>41,274</u>	<u>44,370</u>	<u>46,332</u>
23	<u>2</u>	<u>34,943</u>	<u>35,884</u>	<u>36,859</u>	<u>37,933</u>	<u>41,020</u>	<u>43,004</u>	<u>41,731</u>	<u>44,818</u>	<u>46,802</u>
24	<u>3</u>	<u>35,393</u>	<u>36,343</u>	<u>37,329</u>	<u>38,437</u>	<u>41,518</u>	<u>43,549</u>	<u>42,164</u>	<u>45,243</u>	<u>47,276</u>
25	<u>4</u>	<u>35,834</u>	<u>36,826</u>	<u>37,818</u>	<u>38,964</u>	<u>42,064</u>	<u>44,110</u>	<u>42,618</u>	<u>45,718</u>	<u>47,765</u>
26	<u>5</u>	<u>36,290</u>	<u>37,287</u>	<u>38,288</u>	<u>39,498</u>	<u>42,586</u>	<u>44,673</u>	<u>43,080</u>	<u>46,169</u>	<u>48,256</u>
27	<u>6</u>	<u>36,759</u>	<u>37,734</u>	<u>38,769</u>	<u>40,039</u>	<u>43,113</u>	<u>45,211</u>	<u>43,552</u>	<u>46,626</u>	<u>48,723</u>
28	<u>7</u>	<u>37,582</u>	<u>38,572</u>	<u>39,621</u>	<u>40,960</u>	<u>44,079</u>	<u>46,235</u>	<u>44,438</u>	<u>47,556</u>	<u>49,713</u>
29	<u>8</u>	<u>38,787</u>	<u>39,831</u>	<u>40,905</u>	<u>42,355</u>	<u>45,516</u>	<u>47,751</u>	<u>45,832</u>	<u>48,994</u>	<u>51,228</u>
30	<u>9</u>		<u>41,135</u>	<u>42,262</u>	<u>43,765</u>	<u>46,999</u>	<u>49,310</u>	<u>47,241</u>	<u>50,477</u>	<u>52,788</u>
31	<u>10</u>			<u>43,635</u>	<u>45,247</u>	<u>48,524</u>	<u>50,913</u>	<u>48,724</u>	<u>52,003</u>	<u>54,390</u>
32	<u>11</u>				<u>46,772</u>	<u>50,121</u>	<u>52,557</u>	<u>50,249</u>	<u>53,599</u>	<u>56,034</u>
33	<u>12</u>				<u>48,249</u>	<u>51,761</u>	<u>54,269</u>	<u>51,835</u>	<u>55,238</u>	<u>57,748</u>
34	<u>13</u>					<u>53,440</u>	<u>56,024</u>	<u>53,476</u>	<u>56,918</u>	<u>59,501</u>

1	<u>14</u>	<u>55,128</u>	<u>57,844</u>	<u>55,165</u>	<u>58,716</u>	<u>61,322</u>
2	<u>15</u>	<u>56,563</u>	<u>59,349</u>	<u>56,599</u>	<u>60,242</u>	<u>62,917</u>
3	<u>16 or more</u>	<u>57,693</u>	<u>60,535</u>	<u>57,731</u>	<u>61,447</u>	<u>64,174</u>

(b) As used in this subsection, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.

(c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:

- (i) Credits earned since receiving the masters degree; and
- (ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(5) For the purposes of this section:

- (a) "BA" means a baccalaureate degree.
- (b) "MA" means a masters degree.
- (c) "PHD" means a doctorate degree.

(d) "Years of service" shall be calculated under the same rules adopted by the superintendent of public instruction.

(e) "Credits" means college quarter hour credits and equivalent in-service credits computed in accordance with RCW 28A.415.020 and 28A.415.023.

(6) No more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in this act, or any replacement schedules and documents, unless:

- (a) The employee has a masters degree; or
- (b) The credits were used in generating state salary allocations before January 1, 1992.

(7) The certificated instructional staff base salary specified for each district in LEAP Document 2 and the salary schedules in subsection (4)(a) of this section include one learning improvement day for the 2009-10 school year and zero learning improvement days for the 2010-11 school year. A school district is eligible for the learning improvement day funds only if the learning improvement day has been added to the 180-day contract year. If fewer days are added, the

1 additional learning improvement allocation shall be adjusted
 2 accordingly. The additional day shall be limited to specific
 3 activities identified in the state required school improvement plan
 4 related to improving student learning that are consistent with
 5 education reform implementation, and shall not be considered part of
 6 basic education. The principal in each school shall assure that the
 7 days are used to provide the necessary school-wide, all staff
 8 professional development that is tied directly to the school
 9 improvement plan. The school principal and the district superintendent
 10 shall maintain documentation as to their approval of these activities.
 11 The length of a learning improvement day shall not be less than the
 12 length of a full day under the base contract. The superintendent of
 13 public instruction shall ensure that school districts adhere to the
 14 intent and purposes of this subsection.

15 (8) The salary allocation schedules established in this section are
 16 for allocation purposes only except as provided in RCW 28A.400.200(2).

17 **Sec. 504.** 2009 c 564 s 504 (uncodified) is amended to read as
 18 follows:

19 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**
 20 **COMPENSATION ADJUSTMENTS**

21	General Fund--State Appropriation (FY 2010)	((\$4,215,000))
22		<u>(\$4,414,000)</u>
23	General Fund--State Appropriation (FY 2011)	((\$14,172,000))
24		<u>(\$1,862,000)</u>
25	General Fund--Federal Appropriation	((\$6,000))
26		<u>(\$1,000)</u>
27	TOTAL APPROPRIATION	((\$9,963,000))
28		<u>(\$6,277,000)</u>

29 The appropriations in this section are subject to the following
 30 conditions and limitations:

31 (1)(a) Additional salary adjustments as necessary to fund the base
 32 salaries for certificated instructional staff as listed for each
 33 district in LEAP Document 2, defined in section 503(2)(b) of this act.
 34 Allocations for these salary adjustments shall be provided to all
 35 districts that are not grandfathered to receive salary allocations
 36 above the statewide salary allocation schedule, and to certain

1 grandfathered districts to the extent necessary to ensure that salary
2 allocations for districts that are currently grandfathered do not fall
3 below the statewide salary allocation schedule.

4 (b) Additional salary adjustments to certain districts as necessary
5 to fund the per full-time-equivalent salary allocations for
6 certificated administrative staff as listed for each district in LEAP
7 Document 2, defined in section 503(2)(b) of this act. These
8 adjustments shall ensure a minimum salary allocation for certificated
9 administrative staff of \$57,986 in the 2009-10 school year and \$57,986
10 in the 2010-11 school year.

11 (c) Additional salary adjustments to certain districts as necessary
12 to fund the per full-time-equivalent salary allocations for classified
13 staff as listed for each district in LEAP Document 2, defined in
14 section 503(2)(b) of this act. These salary adjustments ensure a
15 minimum salary allocation for classified staff of \$31,865 in the 2009-
16 10 school year and \$31,865 in the 2010-11 school year.

17 (d) The appropriations in this subsection (1) include associated
18 incremental fringe benefit allocations at rates 13.79 percent for the
19 2009-10 school year and 13.79 percent for the 2010-11 school year for
20 certificated staff and 13.08 percent for the 2009-10 school year and
21 13.08 percent for the 2010-11 school year for classified staff.

22 (e) The appropriations in this section include the increased or
23 decreased portion of salaries and incremental fringe benefits for all
24 relevant state-funded school programs in part V of this act. Changes
25 for general apportionment (basic education) are based on the salary
26 allocation schedules and methodology in sections 502 and 503 of this
27 act. Changes for special education result from changes in each
28 district's basic education allocation per student. Changes for
29 educational service districts and institutional education programs are
30 determined by the superintendent of public instruction using the
31 methodology for general apportionment salaries and benefits in sections
32 502 and 503 of this act. The appropriations in this section provide
33 incremental fringe benefit alterations based on formula adjustments as
34 follows:

35
36 School Year

1		2009-10	2010-11
2	Pupil Transportation (per weighted pupil mile)	\$0	\$0
3	Highly Capable (per formula student)	(\$1.49)	(\$1.49)
4			<u>(\$2.98)</u>
5	Transitional Bilingual Education (per eligible bilingual student)	(\$3.93)	(\$3.93)
6			<u>(\$7.86)</u>
7	Learning Assistance (per formula student)	(\$1.18)	(\$1.18)
8			<u>(\$2.36)</u>

9 (f) The appropriations in this section include no salary
10 adjustments for substitute teachers.

11 (2) ~~(\$44,188,000)~~ \$44,281,000 is provided for adjustments to
12 insurance benefit allocations. The maintenance rate for insurance
13 benefit allocations is \$732.00 per month for the 2009-10 and 2010-11
14 school years. The appropriations in this section provide for a rate
15 increase to \$745.00 per month for the 2009-10 school year and \$768.00
16 per month for the 2010-11 school year. The adjustments to health
17 insurance benefits are at the following rates:

18		School Year	
19		2009-10	2010-11
20	Pupil Transportation (per weighted pupil mile)	\$0.12	\$0.33
21	Highly Capable (per formula student)	\$0.82	\$2.22
22	Transitional Bilingual Education (per eligible bilingual student)	\$2.10	\$5.83
23	Learning Assistance (per formula student)	\$0.54	\$1.49

24 (3) The rates specified in this section are subject to revision
25 each year by the legislature.

26 **Sec. 505.** 2009 c 564 s 505 (uncodified) is amended to read as
27 follows:

28	FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION		
29	General Fund--State Appropriation (FY 2010)	(\$307,357,000)	
30			<u>\$317,105,000</u>
31	General Fund--State Appropriation (FY 2011)	(\$307,070,000)	
32			<u>\$296,741,000</u>
33	TOTAL APPROPRIATION	(\$614,427,000)	

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) A maximum of \$878,000 of this fiscal year 2010 appropriation and a maximum of (~~\$894,000~~) \$892,000 of the fiscal year 2011 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(3) Allocations for transportation of students shall be based on reimbursement rates of \$48.15 per weighted mile in the 2009-10 school year and (~~\$48.40~~) \$48.37 per weighted mile in the 2010-11 school year exclusive of salary and benefit adjustments provided in section 504 of this act. Allocations for transportation of students transported more than one radius mile shall be based on weighted miles as determined by superintendent of public instruction multiplied by the per mile reimbursement rates for the school year pursuant to the formulas adopted by the superintendent of public instruction. Allocations for transportation of students living within one radius mile shall be based on the number of enrolled students in grades kindergarten through five living within one radius mile of their assigned school multiplied by the per mile reimbursement rate for the school year multiplied by 1.29.

(4) The office of the superintendent of public instruction shall provide reimbursement funding to a school district only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(5) The superintendent of public instruction shall base depreciation payments for school district buses on the pre-sales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation

1 payment shall be based on the lowest bid in the appropriate bus
2 category for that school year.

3 (6) Funding levels in this section reflect reductions from the
4 implementation of Substitute House Bill No. 1292 (authorizing waivers
5 from the one hundred eighty-day school year requirement in order to
6 allow four-day school weeks).

7 **Sec. 506.** 2009 c 564 s 506 (uncodified) is amended to read as
8 follows:

9 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE**
10 **PROGRAMS**

11	General Fund--State Appropriation (FY 2010)	\$3,159,000
12	General Fund--State Appropriation (FY 2011)	\$3,159,000
13	General Fund--Federal Appropriation	(\$281,988,000)
14		<u>\$391,988,000</u>
15	TOTAL APPROPRIATION	(\$288,306,000)
16		<u>\$398,306,000</u>

17 The appropriations in this section are subject to the following
18 conditions and limitations:

19 (1) \$3,000,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$3,000,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided for state matching money for federal
22 child nutrition programs.

23 (2) \$100,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$100,000 of the 2011 fiscal year appropriation are
25 provided for summer food programs for children in low-income areas.

26 (3) \$59,000 of the general fund--state appropriation for fiscal
27 year 2010 and \$59,000 of the general fund--state appropriation for
28 fiscal year 2011 are provided solely to reimburse school districts for
29 school breakfasts served to students enrolled in the free or reduced
30 price meal program pursuant to chapter 287, Laws of 2005 (requiring
31 school breakfast programs in certain schools).

32 (4) \$1,588,000 of the general fund--federal appropriation of
33 American recovery and reinvestment act of 2009 (ARRA) funds is provided
34 solely for equipment assistance to school food authorities (SFAs)
35 participating in the national school lunch program (NSLP). ~~((Local~~
36 ~~SFAs may apply to the office of the superintendent of public~~
37 ~~instruction to receive grants in accordance with provisions of the~~

1 ~~ARRA. As stipulated in the ARRA, priority will be given to SFAs for~~
2 ~~equipment for schools in which at least 50 percent of the students are~~
3 ~~eligible for free or reduced priced meals.)~~

4 **Sec. 507.** 2009 c 564 s 507 (uncodified) is amended to read as
5 follows:

6 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**
7 **PROGRAMS**

8	General Fund--State Appropriation (FY 2010)	((\$640,959,000))
9		<u>\$632,131,000</u>
10	General Fund--State Appropriation (FY 2011)	((\$652,388,000))
11		<u>\$651,254,000</u>
12	General Fund--Federal Appropriation	((\$656,052,000))
13		<u>\$664,601,000</u>
14	Education Legacy Trust Account--State	
15	Appropriation	\$756,000
16	TOTAL APPROPRIATION	((\$1,950,155,000))
17		<u>\$1,948,742,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations:

20 (1) Funding for special education programs is provided on an excess
21 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
22 that special education students as a class receive their full share of
23 the general apportionment allocation accruing through sections 502 and
24 504 of this act. To the extent a school district cannot provide an
25 appropriate education for special education students under chapter
26 28A.155 RCW through the general apportionment allocation, it shall
27 provide services through the special education excess cost allocation
28 funded in this section.

29 (2)(a) The superintendent of public instruction shall ensure that:

30 (i) Special education students are basic education students first;

31 (ii) As a class, special education students are entitled to the
32 full basic education allocation; and

33 (iii) Special education students are basic education students for
34 the entire school day.

35 (b) The superintendent of public instruction shall continue to
36 implement the full cost method of excess cost accounting, as designed

1 by the committee and recommended by the superintendent, pursuant to
2 section 501(1)(k), chapter 372, Laws of 2006.

3 (3) Each fiscal year appropriation includes such funds as are
4 necessary to complete the school year ending in the fiscal year and for
5 prior fiscal year adjustments.

6 (4) The superintendent of public instruction shall distribute state
7 funds to school districts based on two categories: (a) The first
8 category includes (i) children birth through age two who are eligible
9 for the optional program for special education eligible developmentally
10 delayed infants and toddlers, and (ii) students eligible for the
11 mandatory special education program and who are age three or four, or
12 five and not yet enrolled in kindergarten; and (b) the second category
13 includes students who are eligible for the mandatory special education
14 program and who are age five and enrolled in kindergarten and students
15 age six through 21.

16 (5)(a) For the 2009-10 and 2010-11 school years, the superintendent
17 shall make allocations to each district based on the sum of:

18 (i) A district's annual average headcount enrollment of students
19 ages birth through four and those five year olds not yet enrolled in
20 kindergarten, as defined in subsection (4) of this section, multiplied
21 by the district's average basic education allocation per full-time
22 equivalent student, multiplied by 1.15; and

23 (ii) A district's annual average full-time equivalent basic
24 education enrollment multiplied by the funded enrollment percent
25 determined pursuant to subsection (6)(b) of this section, multiplied by
26 the district's average basic education allocation per full-time
27 equivalent student multiplied by 0.9309.

28 (b) For purposes of this subsection, "average basic education
29 allocation per full-time equivalent student" for a district shall be
30 based on the staffing ratios required by RCW 28A.150.260 and shall not
31 include enhancements, secondary vocational education, or small schools.

32 (6) The definitions in this subsection apply throughout this
33 section.

34 (a) "Annual average full-time equivalent basic education
35 enrollment" means the resident enrollment including students enrolled
36 through choice (RCW 28A.225.225) and students from nonhigh districts
37 (RCW 28A.225.210) and excluding students residing in another district

1 enrolled as part of an interdistrict cooperative program (RCW
2 28A.225.250).

3 (b) "Enrollment percent" means the district's resident special
4 education annual average enrollment, excluding the birth through age
5 four enrollment and those five year olds not yet enrolled in
6 kindergarten, as a percent of the district's annual average full-time
7 equivalent basic education enrollment.

8 Each district's general fund--state funded special education
9 enrollment shall be the lesser of the district's actual enrollment
10 percent or 12.7 percent.

11 (7) At the request of any interdistrict cooperative of at least 15
12 districts in which all excess cost services for special education
13 students of the districts are provided by the cooperative, the maximum
14 enrollment percent shall be calculated in accordance with subsection
15 (6)(b) of this section, and shall be calculated in the aggregate rather
16 than individual district units. For purposes of this subsection, the
17 average basic education allocation per full-time equivalent student
18 shall be calculated in the aggregate rather than individual district
19 units.

20 (8) To the extent necessary, (~~(\$73,668,000)~~) \$44,269,000 of the
21 general fund--state appropriation and \$29,574,000 of the general fund--
22 federal appropriation are provided for safety net awards for districts
23 with demonstrated needs for special education funding beyond the
24 amounts provided in subsection (5) of this section. If the federal
25 safety net awards based on the federal eligibility threshold exceed the
26 federal appropriation in this subsection (8) in any fiscal year, the
27 superintendent shall expend all available federal discretionary funds
28 necessary to meet this need. Safety net funds shall be awarded by the
29 state safety net oversight committee subject to the following
30 conditions and limitations:

31 (a) The committee shall consider unmet needs for districts that can
32 convincingly demonstrate that all legitimate expenditures for special
33 education exceed all available revenues from state funding formulas.
34 In the determination of need, the committee shall also consider
35 additional available revenues from federal sources. Differences in
36 program costs attributable to district philosophy, service delivery
37 choice, or accounting practices are not a legitimate basis for safety
38 net awards. In the determination of need, the committee shall require

1 that districts demonstrate that they are maximizing their eligibility
2 for all state and federal revenues related to services for special
3 education-eligible students. Awards associated with (b) and (c) of
4 this subsection shall not exceed the total of a district's specific
5 determination of need.

6 (b) The committee shall then consider the extraordinary high cost
7 needs of one or more individual special education students.
8 Differences in costs attributable to district philosophy, service
9 delivery choice, or accounting practices are not a legitimate basis for
10 safety net awards.

11 (c) Using criteria developed by the committee, the committee shall
12 then consider extraordinary costs associated with communities that draw
13 a larger number of families with children in need of special education
14 services. The safety net awards to school districts shall be adjusted
15 to reflect amounts awarded under (b) of this subsection.

16 (d) The maximum allowable indirect cost for calculating safety net
17 eligibility may not exceed the federal restricted indirect cost rate
18 for the district plus one percent.

19 (e) Safety net awards must be adjusted for any audit findings or
20 exceptions related to special education funding.

21 (f) Safety net awards shall be adjusted based on the percent of
22 potential medicaid eligible students billed as calculated by the
23 superintendent in accordance with chapter 318, Laws of 1999. The state
24 safety net oversight committee shall ensure that safety net
25 documentation and awards are based on current medicaid revenue amounts.

26 (9) The superintendent of public instruction may adopt such rules
27 and procedures as are necessary to administer the special education
28 funding and safety net award process. Prior to revising any standards,
29 procedures, or rules, the superintendent shall consult with the office
30 of financial management and the fiscal committees of the legislature.

31 (10) The safety net oversight committee appointed by the
32 superintendent of public instruction shall consist of:

33 (a) One staff from the office of superintendent of public
34 instruction;

35 (b) Staff of the office of the state auditor who shall be nonvoting
36 members of the committee; and

37 (c) One or more representatives from school districts or

1 educational service districts knowledgeable of special education
2 programs and funding.

3 (11) The office of the superintendent of public instruction shall
4 review and streamline the application process to access safety net
5 funds, provide technical assistance to school districts, and annually
6 survey school districts regarding improvement to the process.

7 (12) A maximum of \$678,000 may be expended from the general fund--
8 state appropriations to fund 5.43 full-time equivalent teachers and 2.1
9 full-time equivalent aides at children's orthopedic hospital and
10 medical center. This amount is in lieu of money provided through the
11 home and hospital allocation and the special education program.

12 (13) The superintendent shall maintain the percentage of federal
13 flow-through to school districts at 85 percent. In addition to other
14 purposes, school districts may use increased federal funds for high-
15 cost students, for purchasing regional special education services from
16 educational service districts, and for staff development activities
17 particularly relating to inclusion issues.

18 (14) A school district may carry over from one year to the next
19 year up to 10 percent of the general fund--state funds allocated under
20 this program; however, carryover funds shall be expended in the special
21 education program.

22 (15) \$262,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$251,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely for two additional full-time
25 equivalent staff to support the work of the safety net committee and to
26 provide training and support to districts applying for safety net
27 awards.

28 (16) (~~(\$221,357,000)~~) \$229,833,000 of the general fund--federal
29 appropriation of American recovery and reinvestment act of 2009 funds
30 is provided solely for the individuals with disabilities education act
31 (IDEA), Part B, for distribution to school districts. The funds' use
32 is to be consistent with the current IDEA, Part B statutory and
33 regulatory requirements.

34 (17) \$50,000 of the general fund--state appropriation for fiscal
35 year 2010, \$50,000 of the general fund--state appropriation for fiscal
36 2011, and \$100,000 of the general fund--federal appropriation shall be
37 expended to support a special education ombudsman program within the
38 office of superintendent of public instruction.

1 (1) Each general fund--state fiscal year appropriation includes
2 such funds as are necessary to complete the school year ending in the
3 fiscal year and for prior fiscal year adjustments.

4 (2) State funding provided under this section is based on salaries
5 and other expenditures for a 220-day school year. The superintendent
6 of public instruction shall monitor school district expenditure plans
7 for institutional education programs to ensure that districts plan for
8 a full-time summer program.

9 (3) State funding for each institutional education program shall be
10 based on the institution's annual average full-time equivalent student
11 enrollment. Staffing ratios for each category of institution shall
12 remain the same as those funded in the 1995-97 biennium.

13 (4) The funded staffing ratios for education programs for juveniles
14 age 18 or less in department of corrections facilities shall be the
15 same as those provided in the 1997-99 biennium.

16 (5) (~~(\$329,000)~~) \$228,000 of the general fund--state appropriation
17 for fiscal year 2010 and (~~(\$329,000)~~) \$228,000 of the general fund--
18 state appropriation for fiscal year 2011 are provided solely to
19 maintain at least one certificated instructional staff and related
20 support services at an institution whenever the K-12 enrollment is not
21 sufficient to support one full-time equivalent certificated
22 instructional staff to furnish the educational program. The following
23 types of institutions are included: Residential programs under the
24 department of social and health services for developmentally disabled
25 juveniles, programs for juveniles under the department of corrections,
26 and programs for juveniles under the juvenile rehabilitation
27 administration.

28 (6) Ten percent of the funds allocated for each institution may be
29 carried over from one year to the next.

30 **Sec. 511.** 2009 c 564 s 511 (uncodified) is amended to read as
31 follows:

32 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**
33 **CAPABLE STUDENTS**

34	General Fund--State Appropriation (FY 2010)	((\$9,430,000))
35		<u>\$9,189,000</u>
36	General Fund--State Appropriation (FY 2011)	((\$9,437,000))
37		<u>\$9,188,000</u>

1 TOTAL APPROPRIATION ((~~\$18,867,000~~))
2 \$18,377,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) Each general fund fiscal year appropriation includes such funds
6 as are necessary to complete the school year ending in the fiscal year
7 and for prior fiscal year adjustments.

8 (2) Allocations for school district programs for highly capable
9 students shall be distributed at a maximum rate of \$401.08 per funded
10 student for the 2009-10 school year and \$401.08 per funded student for
11 the 2010-11 school year, exclusive of salary and benefit adjustments
12 pursuant to section 504 of this act. The number of funded students
13 shall be a maximum of 2.314 percent of each district's full-time
14 equivalent basic education enrollment.

15 (3) \$90,000 of the fiscal year 2010 appropriation and \$90,000 of
16 the fiscal year 2011 appropriation are provided for the Washington
17 destination imagination network and future problem-solving programs.

18 (4) \$170,000 of the fiscal year 2010 appropriation and \$170,000 of
19 the fiscal year 2011 appropriation are provided for the centrum program
20 at Fort Worden state park.

21 **Sec. 512.** 2009 c 564 s 512 (uncodified) is amended to read as
22 follows:

23 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS**
24 **PURPOSES UNDER THE ELEMENTARY AND SECONDARY SCHOOL IMPROVEMENT ACT AND**
25 **THE NO CHILD LEFT BEHIND ACT**

26 General Fund--Federal Appropriation ((~~\$43,450,000~~))
27 \$43,886,000

28 **Sec. 513.** 2010 c 3 s 501 (uncodified) is amended to read as
29 follows:

30 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**
31 **PROGRAMS**

32 General Fund--State Appropriation (FY 2010) ((~~\$93,681,000~~))
33 \$93,033,000

34 General Fund--State Appropriation (FY 2011) ((~~\$102,512,000~~))
35 \$90,318,000

36 General Fund--Federal Appropriation \$152,626,000

1 Any recommendation for additional assessments must include an
2 implementation timeline and the projected cost to develop and
3 administer the assessments.

4 (4) \$1,014,000 of the education legacy trust account appropriation
5 is provided solely for allocations to districts for salaries and
6 benefits for the equivalent of two additional professional development
7 days for fourth and fifth grade teachers during the 2008-2009 school
8 year. The allocations shall be made based on the calculations of
9 certificated instructional staff units for fourth and fifth grade
10 provided in section 502 of this act and on the calculations of
11 compensation provided in sections 503 and 504 of this act. Districts
12 may use the funding to support additional days for professional
13 development as well as job-embedded forms of professional development.

14 ~~((4))~~ (5) \$3,241,000 of the education legacy trust fund
15 appropriation is provided solely for allocations to districts for
16 salaries and benefits for the equivalent of three additional
17 professional development days for middle and high school math and
18 science teachers during the 2008-2009 school year, as well as
19 specialized training for one math and science teacher in each middle
20 school and high school during the 2008-2009 school year. Districts may
21 use the funding to support additional days for professional development
22 as well as job-embedded forms of professional development.

23 ~~((5)-\$3,850,000))~~ (6) \$3,773,000 of the education legacy trust
24 account--state appropriation is provided solely for a math and science
25 instructional coaches program pursuant to chapter 396, Laws of 2007.
26 Funding shall be used to provide grants to schools and districts to
27 provide salaries, benefits, and professional development activities for
28 up to twenty-five instructional coaches in middle and high school math
29 and twenty-five instructional coaches in middle and high school science
30 in each year of the biennium; and up to \$300,000 may be used by the
31 office of the superintendent of public instruction to administer and
32 coordinate the program.

33 ~~((6)-\$1,781,000))~~ (7) \$1,740,000 of the general fund--state
34 appropriation for fiscal year 2010 ~~((and \$1,943,000 of the general~~
35 ~~fund--state appropriation for fiscal year 2011 are))~~ is provided solely
36 to allow approved middle and junior high school career and technical
37 education programs to receive enhanced vocational funding. The office
38 of the superintendent of public instruction shall provide allocations

1 to districts for middle and junior high school students in accordance
2 with the funding formulas provided in section 502 of this act. If
3 Second Substitute Senate Bill No. 5676 is enacted the allocations are
4 formula-driven, otherwise the office of the superintendent shall
5 consider the funding provided in this subsection as a fixed amount, and
6 shall adjust funding to stay within the amounts provided in this
7 subsection.

8 ~~((7))~~ (8) \$139,000 of the general fund--state appropriation for
9 fiscal year 2010 and \$139,000 of the general fund--state appropriation
10 for fiscal year 2011 are provided solely for (a) staff at the office of
11 the superintendent of public instruction to coordinate and promote
12 efforts to develop integrated math, science, technology, and
13 engineering programs in schools and districts across the state; and (b)
14 grants of \$2,500 to provide twenty middle and high school teachers each
15 year professional development training for implementing integrated
16 math, science, technology, and engineering program in their schools.

17 ~~((8) - \$1,579,000)~~ (9) \$1,473,000 of the general fund--state
18 appropriation for fiscal year 2010 and \$1,579,000 of the general fund--
19 state appropriation for fiscal year 2011 are provided solely for the
20 Washington state leadership and assistance for science education reform
21 (LASER) regional partnership activities coordinated at the Pacific
22 science center, including instructional material purchases, teacher and
23 principal professional development, and school and community engagement
24 events. Funding shall be distributed to the various LASER activities
25 in a manner proportional to LASER program spending during the 2007-2009
26 biennium.

27 ~~((9) - \$81,010,000)~~ (10) \$88,981,000 of the education legacy trust
28 account--state appropriation is provided solely for grants for
29 voluntary full-day kindergarten at the highest poverty schools, as
30 provided in chapter 400, Laws of 2007. The office of the
31 superintendent of public instruction shall provide allocations to
32 districts for recipient schools in accordance with the funding formulas
33 provided in section 502 of this act. Each kindergarten student who
34 enrolls for the voluntary full-day program in a recipient school shall
35 count as one-half of one full-time equivalent student for the purpose
36 of making allocations under this subsection. Although the allocations
37 are formula-driven, the office of the superintendent shall consider the
38 funding provided in this subsection as a fixed amount, and shall limit

1 the number of recipient schools so as to stay within the amounts
2 appropriated each fiscal year in this subsection. The funding provided
3 in this subsection is estimated to provide full-day kindergarten
4 programs for 20 percent of kindergarten enrollment. Funding priority
5 shall be given to schools with the highest poverty levels, as measured
6 by prior year free and reduced priced lunch eligibility rates in each
7 school. Additionally, as a condition of funding, school districts must
8 agree to provide the full-day program to the children of parents who
9 request it in each eligible school. For the purposes of calculating a
10 school district levy base, funding provided in this subsection shall be
11 considered a state block grant program under RCW 84.52.0531.

12 (a) Of the amounts provided in this subsection, a maximum of
13 \$272,000 may be used for administrative support of the full-day
14 kindergarten program within the office of the superintendent of public
15 instruction.

16 (b) Student enrollment pursuant to this program shall not be
17 included in the determination of a school district's overall K-12 FTE
18 for the allocation of student achievement programs and other funding
19 formulas unless specifically stated.

20 ~~((+10))~~ (11) \$700,000 of the general fund--state appropriation for
21 fiscal year 2010 and \$900,000 of the general fund--state appropriation
22 for fiscal year 2011 are provided solely for the development of a
23 leadership academy for school principals and administrators. The
24 superintendent of public instruction shall contract with an independent
25 organization to design, field test, and implement a state-of-the-art
26 education leadership academy that will be accessible throughout the
27 state. Initial development of the content of the academy activities
28 shall be supported by private funds. Semiannually the independent
29 organization shall report on amounts committed by foundations and
30 others to support the development and implementation of this program.
31 Leadership academy partners, with varying roles, shall include the
32 state level organizations for school administrators and principals, the
33 superintendent of public instruction, the professional educator
34 standards board, and others as the independent organization shall
35 identify.

36 ~~((+11))~~ (12) \$105,754,000 of the general fund--federal
37 appropriation is provided for preparing, training, and recruiting high

1 quality teachers and principals under Title II of the no child left
2 behind act.

3 ~~((12) \$1,546,000))~~ (13) \$1,960,000 of the general fund--state
4 appropriation for fiscal year 2010 ~~((and \$3,046,000 of the general
5 fund--state appropriation for fiscal year 2011 are))~~ is provided
6 solely to the office of the superintendent of public instruction for
7 focused assistance activities to improve student learning, reduce
8 drop-outs, and close the achievement gap. The office of the
9 superintendent of public instruction shall conduct educational audits
10 of low-performing schools and enter into performance agreements between
11 school districts and the office to implement the recommendations of the
12 audit and the community. Funding in this subsection may be used for
13 focused assistance programs for individual schools as well as school
14 districts. The superintendent is also authorized to use resources
15 under this subsection for analysis of student learning.

16 ~~((13) \$30,702,000 of the general fund federal appropriation is
17 provided for the reading first program under Title I of the no child
18 left behind act.))~~

19 (14) \$1,667,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$1,667,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided solely to eliminate the lunch co-pay for
22 students in grades kindergarten through third grade that are eligible
23 for reduced price lunch.

24 (15) \$5,285,000 of the general fund--state appropriation for fiscal
25 year 2010 and \$5,285,000 of the general fund--state appropriation for
26 fiscal year 2011 are provided solely for: (a) The meals for kids
27 program under RCW 28A.235.145 through 28A.235.155; (b) to eliminate the
28 breakfast co-pay for students eligible for reduced price lunch; and (c)
29 for additional assistance for school districts initiating a summer food
30 service program.

31 (16) ~~((1,056,000))~~ \$1,003,000 of the general fund--state
32 appropriation for fiscal year 2010 and \$1,056,000 of the general fund--
33 state appropriation for fiscal year 2011 are provided solely for the
34 Washington reading corps. The superintendent shall allocate reading
35 corps members to low-performing schools and school districts that are
36 implementing comprehensive, proven, research-based reading programs.
37 Two or more schools may combine their Washington reading corps

1 programs. Grants provided under this section may be used by school
2 districts for expenditures from September 2009 through August 31, 2011.

3 (17) (~~(\$3,594,000)~~) \$3,269,000 of the general fund--state
4 appropriation for fiscal year 2010 and \$3,594,000 of the general fund--
5 state appropriation for fiscal year 2011 are provided solely for grants
6 to school districts to provide a continuum of care for children and
7 families to help children become ready to learn. Grant proposals from
8 school districts shall contain local plans designed collaboratively
9 with community service providers. If a continuum of care program
10 exists in the area in which the school district is located, the local
11 plan shall provide for coordination with existing programs to the
12 greatest extent possible. Grant funds shall be allocated pursuant to
13 RCW 70.190.040.

14 (18) (~~(\$1,959,000)~~) \$1,861,000 of the general fund--state
15 appropriation for fiscal year 2010 and \$1,959,000 of the general fund--
16 state appropriation for fiscal year 2011 are provided solely for
17 improving technology infrastructure, monitoring and reporting on school
18 district technology development, promoting standards for school
19 district technology, promoting statewide coordination and planning for
20 technology development, and providing regional educational technology
21 support centers, including state support activities, under chapter
22 28A.650 RCW.

23 (19) \$225,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$225,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely for the operation of the center
26 for the improvement of student learning pursuant to RCW 28A.300.130.

27 (20) (~~(\$250,000)~~) \$246,000 of the education legacy trust account--
28 state appropriation is provided solely for costs associated with the
29 office of the superintendent of public instruction's statewide director
30 of technology position.

31 (21)(a) (~~(\$28,270,000)~~) \$26,017,000 of the general fund--state
32 appropriation for fiscal year 2010 and (~~(\$36,513,000)~~) \$31,506,000 of
33 the general fund--state appropriation for fiscal year 2011 are provided
34 solely for the following bonuses for teachers who hold valid, unexpired
35 certification from the national board for professional teaching
36 standards and who are teaching in a Washington public school, subject
37 to the following conditions and limitations:

1 (i) For national board certified teachers, a bonus of \$5,000 per
2 teacher (~~beginning in the 2007-08 school year and adjusted for~~
3 ~~inflation in each school year thereafter in which Initiative 732 cost~~
4 ~~of living adjustments are provided. National board certified teachers~~
5 ~~who become public school principals shall continue to receive this~~
6 ~~bonus for as long as they are principals and maintain the national~~
7 ~~board certification)) each school year;~~

8 (ii) An additional (~~\$5,000~~) \$2,500 annual bonus shall be paid to
9 national board certified teachers who teach in either: (A) High
10 schools where at least 50 percent of student headcount enrollment is
11 eligible for federal free or reduced price lunch, (B) middle schools
12 where at least 60 percent of student headcount enrollment is eligible
13 for federal free or reduced price lunch, or (C) elementary schools
14 where at least 70 percent of student headcount enrollment is eligible
15 for federal free or reduced price lunch;

16 (iii) The superintendent of public instruction shall adopt rules to
17 ensure that national board certified teachers meet the qualifications
18 for bonuses under (a)(ii) of this subsection for less than one full
19 school year receive bonuses in a pro-rated manner; and

20 (iv) During the 2009-10 and 2010-11 school years, and within the
21 available federal appropriation, certificated instructional staff who
22 have met the eligibility requirements and have applied for
23 certification from the national board for professional teaching
24 standards may receive a conditional two thousand dollars or the amount
25 set by the office of the superintendent of public instruction to
26 contribute toward the current assessment fee, not including the initial
27 up-front candidacy payment. The fee shall be an advance on the first
28 annual bonus under RCW 28A.405.415. The assessment fee for national
29 certification is provided in addition to compensation received under a
30 district's salary schedule adopted in accordance with RCW 28A.405.200
31 and shall not be included in calculations of a district's average
32 salary and associated salary limitation under RCW 28A.400.200.
33 Recipients who fail to receive certification after three years are
34 required to repay the assessment fee, not including the initial up-
35 front candidacy payment, as set by the national board for professional
36 teaching standards and administered by the office of the superintendent
37 of public instruction. The office of the superintendent of public

1 instruction shall adopt rules to define the terms for initial grant of
2 the assessment fee and repayment, including applicable fees.

3 (b) Included in the amounts provided in this subsection are amounts
4 for mandatory fringe benefits.

5 (22) (~~(\$2,750,000)~~) \$2,475,000 of the general fund--state
6 appropriation for fiscal year 2010 and \$2,750,000 of the general fund--
7 state appropriation for fiscal year 2011 are provided solely for
8 secondary career and technical education grants pursuant to chapter
9 170, Laws of 2008(~~(.---This funding may additionally be used to)~~),
10 except that \$300,000 of this funding, if equally matched by private
11 donations, shall be used to support FIRST Robotics programs.

12 (23) \$150,000 of the general fund--state appropriation for fiscal
13 year 2011 is provided solely for the implementation of House Bill No.
14 2621 (K-12 school resource programs). If the bill is not enacted by
15 June 30, 2010, the amount provided in this subsection shall lapse.

16 (~~(+23)~~) (24) \$300,000 of the general fund--state appropriation for
17 fiscal year 2010 and \$300,000 of the general fund--state appropriation
18 for fiscal year 2011 are provided solely for the local farms-healthy
19 kids program as described in chapter 215, Laws of 2008.

20 (~~(+24)~~) (25) \$2,348,000 of the general fund--state appropriation
21 for fiscal year 2010 (~~(and \$2,348,000 of the general fund--state~~
22 ~~appropriation for fiscal year 2011 are appropriated)~~) is provided
23 solely for a beginning educator support program. School districts
24 and/or regional consortia may apply for grant funding beginning in the
25 2009-10 school year. The superintendent shall implement this program
26 in 5 to 15 school districts and/or regional consortia. The program
27 provided by a district and/or regional consortia shall include: A paid
28 orientation; assignment of a qualified mentor; development of a
29 professional growth plan for each beginning teacher aligned with
30 professional certification; release time for mentors and new teachers
31 to work together, and teacher observation time with accomplished peers.
32 \$250,000 may be used to provide state-wide professional development
33 opportunities for mentors and beginning educators. The superintendent
34 of public instruction shall adopt rules to establish and operate a
35 research-based beginning educator support program no later than August
36 31, 2009. OSPI must evaluate the program's progress and may contract
37 for this work. A report to the legislature about the beginning
38 educator support program is due November 1, 2010.

1 and adjust the per eligible pupil rates in subsection (2) of this
2 section accordingly, solely for the central provision of assessments as
3 provided in RCW 28A.180.090 (1) and (2).

4 (4) \$70,000 of the amounts appropriated in this section are
5 provided solely to track current and former transitional bilingual
6 program students.

7 (5) The general fund--federal appropriation in this section is
8 provided for migrant education under Title I Part C and English
9 language acquisition, and language enhancement grants under Title III
10 of the elementary and secondary education act.

11 **Sec. 515.** 2009 c 564 s 515 (uncodified) is amended to read as
12 follows:

13 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**
14 **ASSISTANCE PROGRAM**

15	General Fund--State Appropriation (FY 2010)	((\$101,067,000))
16		<u>\$103,865,000</u>
17	General Fund--State Appropriation (FY 2011)	((\$102,237,000))
18		<u>\$110,312,000</u>
19	General Fund--Federal Appropriation	((\$543,925,000))
20		<u>\$553,925,000</u>
21	Education Legacy Trust Account--State	
22	Appropriation	\$47,980,000
23	TOTAL APPROPRIATION	((\$795,209,000))
24		<u>\$816,082,000</u>

25 The appropriations in this section are subject to the following
26 conditions and limitations:

27 (1) The general fund--state appropriations in this section are
28 subject to the following conditions and limitations:

29 (a) The appropriations include such funds as are necessary to
30 complete the school year ending in the fiscal year and for prior fiscal
31 year adjustments.

32 (b) Funding for school district learning assistance programs shall
33 be allocated at maximum rates of \$281.71 per funded student for the
34 2009-10 school year and ((~~\$282.63~~)) \$283.00 per funded student for the
35 2010-11 school year exclusive of salary and benefit adjustments
36 provided under section 504 of this act.

1 (c) A school district's funded students for the learning assistance
2 program shall be the sum of the following as appropriate:

3 (i) The district's full-time equivalent enrollment in grades K-12
4 for the prior school year multiplied by the district's percentage of
5 October headcount enrollment in grades K-12 eligible for free or
6 reduced price lunch in the prior school year; and

7 (ii) If, in the prior school year, the district's percentage of
8 October headcount enrollment in grades K-12 eligible for free or
9 reduced price lunch exceeded forty percent, subtract forty percent from
10 the district's percentage and multiply the result by the district's K-
11 12 annual average full-time equivalent enrollment for the prior school
12 year.

13 (d) In addition to the amounts allocated in (b) and (c) of this
14 subsection, an additional amount shall be allocated to school districts
15 with high concentrations of poverty and English language learner
16 students, subject to the following rules and conditions:

17 (i) To qualify for additional funding under this subsection, a
18 district's October headcount enrollment in grades kindergarten through
19 grade twelve must have at least twenty percent enrolled in the
20 transitional bilingual instruction program based on an average of the
21 program headcount taken in October and May of the prior school year;
22 and must also have at least forty percent eligible for free or reduced
23 price lunch based on October headcount enrollment in grades
24 kindergarten through twelve in the prior school year.

25 (ii) Districts meeting the specifications in (d)(i) of this
26 subsection shall receive additional funded students for the learning
27 assistance program at the rates specified in subsection (1)(b) of this
28 section. The number of additional funded student units shall be
29 calculated by subtracting twenty percent from the district's percent
30 transitional bilingual instruction program enrollment as defined in
31 (d)(i) of this subsection, and the resulting percent shall be
32 multiplied by the district's kindergarten through twelve annual average
33 full-time equivalent enrollment for the prior school year.

34 (2) Allocations made pursuant to subsection (1) of this section
35 shall be adjusted to reflect ineligible applications identified through
36 the annual income verification process required by the national school
37 lunch program, as recommended in the report of the state auditor on the
38 learning assistance program dated February, 2010.

1 (3) The general fund--federal appropriation in this section is
2 provided for Title I Part A allocations of the no child left behind act
3 of 2001.

4 ~~((3))~~ (4) A school district may carry over from one year to the
5 next up to 10 percent of the general fund--state or education legacy
6 trust funds allocated under this program; however, carryover funds
7 shall be expended for the learning assistance program.

8 ~~((4))~~ (5) School districts are encouraged to coordinate the use
9 of these funds with other federal, state, and local sources to serve
10 students who are below grade level and to make efficient use of
11 resources in meeting the needs of students with the greatest academic
12 deficits.

13 ~~((5))~~ (6) Within amounts appropriated in this section, funding is
14 provided for the implementation of extended learning programs required
15 in chapter 328, Laws of 2008.

16 ~~((6) \$51,970,000))~~ (7) \$129,925,000 of the general fund--federal
17 appropriation for ~~((fiscal year 2010 and \$77,955,000 of the general~~
18 ~~fund--federal appropriation for fiscal year 2011 of))~~ the American
19 recovery and reinvestment act of 2009 (ARRA) Title I, Part A funds are
20 in addition to regular Title I, Part A allocations solely for
21 allocation to eligible school districts in accordance with the
22 guidelines of ARRA.

23 ~~((7))~~ (8) \$48,981,000 of the general fund--federal appropriation
24 from the American recovery and reinvestment act of 2009 (ARRA) is for
25 school improvement. This consists of 4 percent, or \$5,413,000 of the
26 Title I, Part A recovery funds which must be set aside for school
27 improvement as well as \$43,568,000 in additional school improvement
28 funds.

29 **Sec. 516.** 2009 c 564 s 516 (uncodified) is amended to read as
30 follows:

31 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT**
32 **PROGRAMS**

33	<u>General Fund--State Appropriation (FY 2010)</u>	\$19,260,000
34	General Fund--State Appropriation (FY 2011)	((\$104,101,000))
35		<u>\$25,730,000</u>
36	General Fund--Federal Appropriation	((\$200,295,000))
37		<u>\$181,054,000</u>

1 TOTAL APPROPRIATION ((~~\$304,396,000~~))
2 \$226,044,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) Funding for school district student achievement programs shall
6 be allocated at a maximum rate of \$131.16 per FTE student for the 2009-
7 10 school year and (~~(\$99.32)~~) \$0 per FTE student for the 2010-11 school
8 year. For the purposes of this section, FTE student refers to the
9 annual average full-time equivalent enrollment of the school district
10 in grades kindergarten through twelve for the prior school year, as
11 reported to the office of the superintendent of public instruction by
12 August 31st of the previous school year.

13 (2) The appropriation is allocated for the following uses as
14 specified in RCW 28A.505.210:

15 (a) To reduce class size by hiring certificated elementary
16 classroom teachers in grades K-4 and paying nonemployee-related costs
17 associated with those new teachers;

18 (b) To make selected reductions in class size in grades 5-12, such
19 as small high school writing classes;

20 (c) To provide extended learning opportunities to improve student
21 academic achievement in grades K-12, including, but not limited to,
22 extended school year, extended school day, before-and-after-school
23 programs, special tutoring programs, weekend school programs, summer
24 school, and all-day kindergarten;

25 (d) To provide additional professional development for educators
26 including additional paid time for curriculum and lesson redesign and
27 alignment, training to ensure that instruction is aligned with state
28 standards and student needs, reimbursement for higher education costs
29 related to enhancing teaching skills and knowledge, and mentoring
30 programs to match teachers with skilled, master teachers. The funding
31 shall not be used for salary increases or additional compensation for
32 existing teaching duties, but may be used for extended year and
33 extended day teaching contracts;

34 (e) To provide early assistance for children who need
35 prekindergarten support in order to be successful in school; or

36 (f) To provide improvements or additions to school building
37 facilities which are directly related to the class size reductions and

1 extended learning opportunities under (a) through (c) of this
2 subsection (2).

3 (3) The superintendent of public instruction shall distribute the
4 school year allocation according to the monthly apportionment schedule
5 defined in RCW 28A.510.250.

6 (4) (~~(\$200,295,000)~~) \$181,054,000 of the general fund--federal
7 appropriation for fiscal year 2010 is provided solely for American
8 recovery and reinvestment act of 2009 (ARRA) fiscal stabilization funds
9 to restore state reductions for the student achievement program.

10 **Sec. 517.** 2009 c 564 s 518 (uncodified) is amended to read as
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION.** (1) Appropriations
13 made in this act to the office of the superintendent of public
14 instruction shall initially be allotted as required by this act.
15 Subsequent allotment modifications shall not include transfers of
16 moneys between sections of this act, except as expressly provided in
17 subsection (2) of this section.

18 (2) The appropriations to the office of the superintendent of
19 public instruction in this act shall be expended for the programs and
20 amounts specified in this act. However, after May 1, 2010, unless
21 specifically prohibited by this act and after approval by the director
22 of financial management, the superintendent of public instruction may
23 transfer state general fund appropriations for fiscal year 2010 among
24 the following programs to meet the apportionment schedule for a
25 specified formula in another of these programs: General apportionment;
26 employee compensation adjustments; pupil transportation; special
27 education programs; institutional education programs; transitional
28 bilingual programs; and learning assistance programs.

29 (3) The director of financial management shall notify the
30 appropriate legislative fiscal committees in writing prior to approving
31 any allotment modifications or transfers under this section.

(End of part)

1 populations, linkages with university mathematics and science
2 departments, and implementation of redesigned, innovative endorsement
3 and certification programs. To accomplish this work, enrollments may
4 need to be shifted from low-need endorsement and certificate areas to
5 math and science. A report shall be made each October 30th to the HECB
6 and PESB regarding the degree to which plan goals have been met and
7 activities undertaken to support those outcomes.

8 (5) In accordance with RCW 28B.10.920 through 28B.10.922, the state
9 performance agreement committee and each public four-year institution
10 of higher education shall develop performance agreements for the period
11 September 1, 2009, through June 30, 2015. The agreements shall reflect
12 the level of state, tuition, and other resources appropriated or
13 authorized for each institution in this act and in the omnibus 2009-11
14 omnibus capital budget act, as well as reasonably anticipated changes
15 in such resources for the two subsequent biennia as required to
16 accomplish the higher education master plan as adopted by the
17 legislature. The agreements shall build upon each institution's actual
18 performance relative to the 2011 targets previously negotiated between
19 the institution, the higher education coordinating board, and the
20 office of financial management, and shall include measurable
21 performance targets, benchmarks, and goals in areas including but not
22 limited to:

- 23 (a) Student enrollment levels, by campus;
- 24 (b) Baccalaureate and advanced degree production;
- 25 (c) Baccalaureate and advanced degree production in high employer-
26 demand fields;
- 27 (d) Undergraduate retention and graduation rates;
- 28 (e) Time-to-degree for students entering as freshmen, and as upper-
29 division transfers;
- 30 (f) Efficiency to degree; and
- 31 (g) Capital investment as required to (i) maintain existing
32 capacity, and (ii) meet enrollment targets in accordance with the
33 master plan as adopted by the legislature.

34 Each institution shall report progress toward its performance targets
35 during the preceding academic year to the state performance agreement
36 committee prior to November 1, 2010. The higher education coordinating
37 board shall consolidate and summarize the institutional reports, and

1 provide them to the relevant policy and fiscal committees of the
2 legislature by December 1, 2010.

3 (6) To facilitate transparency and compliance with the American
4 recovery and reinvestment act, the institutions of higher education
5 receiving state and federal appropriations under sections 605 through
6 611 of this act shall allot anticipated state, federal, and tuition
7 expenditures by budget program and fiscal year. The office of
8 financial management shall notify the legislative ways and means
9 committees of the proposed allotments at least ten days prior to their
10 approval.

11 (7) To the extent permitted by the applicable personnel system
12 rules, and to the extent collectively bargained with represented
13 employees, institutions of higher education are encouraged to achieve
14 the reductions in full-time-equivalent employment and payroll levels
15 necessary to operate within this budget through strategies that will
16 minimize impacts on employees, their families, their communities, and
17 short- and longer-term accomplishment of institutional mission.
18 Institutions are encouraged to utilize strategies such as reduced work-
19 hours per day or week, voluntary leave without pay, and temporary
20 furloughs that enable employees to maintain permanent employment
21 status. Institutions are further encouraged to implement such
22 strategies in ways that will enable employees to maintain full
23 insurance benefits, full retirement service credit, and a living wage.

24 (8)(a) For institutions receiving appropriations in section 605 of
25 this act the only allowable salary increases provided are those with
26 normally occurring promotions and increases related to faculty and
27 staff retention, to the extent permitted by Engrossed Substitute Senate
28 Bill No. 5460, and House Bill No. 2328.

29 (b) For employees under the jurisdiction of chapter 41.56 RCW,
30 salary increases will be in accordance with the applicable collective
31 bargaining agreement. However, an increase shall not be provided to
32 any classified employee whose salary is above the approved salary range
33 maximum for the class to which the employee's position is allocated.

34 (c) For each institution of higher education receiving
35 appropriations under sections 606 through 611 of this act:

36 (i) The only allowable salary increases are those associated with
37 normally occurring promotions and increases related to faculty and

1 staff retention, to the extent permitted by Engrossed Substitute Senate
2 Bill No. 5460 (~~and~~), House Bill No. 2328, and Substitute Senate Bill
3 No. 6382; and

4 (ii) Institutions may provide salary increases from other sources
5 to instructional and research faculty, exempt professional staff,
6 teaching and research assistants, as classified by the office of
7 financial management, and all other nonclassified staff, but not
8 including employees under RCW 28B.16.015, to the extent permitted by
9 Engrossed Substitute Senate Bill No. 5460 (~~and~~), House Bill No. 2328,
10 and Substitute Senate Bill No. 6382. Any salary increase granted under
11 the authority of this subsection (8)(c)(ii) shall not be included in an
12 institution's salary base for future state funding. It is the intent
13 of the legislature that state general fund support for an institution
14 shall not increase during the current or any future biennium as a
15 result of any salary increases authorized under this subsection
16 (8)(c)(ii).

17 (9)(a) Within existing resources, a legislative task force on four-
18 year public university access and affordability is established with the
19 following membership:

20 (i) The president of the senate shall appoint one member from each
21 of the two largest caucuses of the senate. At least one member shall
22 be a member of the senate higher education and workforce development
23 committee and at least one member shall be a member of the senate ways
24 and means committee;

25 (ii) The speaker of the house of representatives shall appoint one
26 member from each of the two largest caucuses of the house of
27 representatives. At least one member shall be a member of the house
28 higher education committee and at least one member shall be a member of
29 the house education appropriations committee; and

30 (iii) The governor shall appoint the chair of the committee, who is
31 a nonvoting member. The appointee shall not be a current or former
32 trustee, employee, vendor, or contractor to a Washington public four-
33 year institution of higher education.

34 (b) Staff support for the task force shall be provided by the house
35 of representatives office of program research and senate committee
36 services.

37 (c) The duties of the task force shall include:

1 (i) Recommending a ten-year integrated and comprehensive state
2 policy to align state investments in institutional support and
3 financial aid, tuition, and cost management;

4 (ii) Reviewing all aspects of the business operations of the public
5 four-year institutions;

6 (iii) Issuing recommendations on changes to optimize the use of
7 resources and yield savings that can be redirected so as to maintain
8 academic and research quality, accommodate increasing enrollment
9 demands, and moderate tuition increases; and

10 (iv) Conducting an analysis of four-year graduate job placement and
11 retention.

12 (d) The work group shall report to the appropriate committees of
13 the legislature by December 1, 2010, with findings and recommendations
14 regarding long-term, sustainable, integrated, and comprehensive
15 policies regarding tuition, state funding levels, financial aid, and
16 institutional cost management.

17 **Sec. 602.** 2009 c 564 s 604 (uncodified) is amended to read as
18 follows:

19 **STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES.** In order to
20 operate within the state funds appropriated in this act, the state
21 board for community and technical colleges and the trustees of the
22 state's community and technical colleges are authorized to adopt and
23 adjust tuition and fees for the 2009-10 and 2010-11 academic years as
24 provided in this section:

25 (1) The state board may increase the tuition fees charged to
26 resident undergraduate students by no more than seven percent over the
27 amounts charged to resident undergraduates during the prior academic
28 year. The board may increase tuition fees under this subsection
29 differentially based on student credit hour load, provided that the
30 overall increase in average tuition revenue per student does not exceed
31 seven percent each year.

32 (2) The state board may increase the tuition fees charged to
33 resident undergraduates enrolled in upper division applied
34 baccalaureate programs by no more than fourteen percent over the
35 amounts charged during the prior academic year.

36 (3) The state board may increase the tuition fees charged to

1 nonresident students by amounts judged reasonable and necessary by the
2 board.

3 (4) The trustees of the technical colleges are authorized to either
4 (a) increase operating fees by no more than the percentage increases
5 authorized for community colleges by the state board; or (b) fully
6 adopt the tuition fee charge schedule adopted by the state board for
7 community colleges.

8 (5) For the 2009-10 academic year, the trustees of the technical
9 colleges are authorized to increase building fees by four cents per
10 clock hour and by sixty-two cents per credit hour. For the 2010-11
11 academic year, the trustees are authorized to increase building fees by
12 four cents per clock hour and by sixty-nine cents per credit hour. The
13 purpose of these increases is to progress toward parity with the
14 building fees charged students attending the community colleges.

15 (6) The state board is authorized to increase the maximum allowable
16 services and activities fee as provided in RCW 28B.15.069. The
17 trustees of the community and technical colleges are authorized to
18 increase services and activities fees up to the maximum level
19 authorized by the state board.

20 (7) The trustees of the community and technical colleges are
21 authorized to adopt or increase charges for fee-based, self-sustaining
22 programs such as summer session, international student contracts, and
23 special contract courses by amounts judged reasonable and necessary by
24 the trustees.

25 (8) The trustees of the community and technical colleges are
26 authorized to adopt or increase special course and lab fees to the
27 extent necessary to cover the reasonable and necessary exceptional cost
28 of the course or service.

29 (9) The trustees of the community and technical colleges are
30 authorized to adopt or increase administrative fees such as but not
31 limited to those charged for application, matriculation, special
32 testing, and transcripts by amounts judged reasonable and necessary by
33 the trustees.

34 (10) In fiscal year 2010 and fiscal year 2011, the state board for
35 community and technical colleges may use salary and benefit savings
36 from faculty turnover to provide salary increments and associated
37 benefits for faculty who qualify through professional development and
38 training.

1 **Sec. 603.** 2009 c 564 s 605 (uncodified) is amended to read as
2 follows:

3 **FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

4	General Fund--State Appropriation (FY 2010)	((\$620,071,000))
5		<u>\$620,404,000</u>
6	General Fund--State Appropriation (FY 2011)	((\$642,509,000))
7		<u>\$624,730,000</u>
8	General Fund--Federal Appropriation	\$17,171,000
9	Education Legacy Trust Account--State Appropriation	\$95,125,000
10	<u>Opportunity Express Account--State Appropriation</u>	<u>\$2,039,000</u>
11	TOTAL APPROPRIATION	((\$1,374,876,000))
12		<u>\$1,359,469,000</u>

13 The appropriations in this section are subject to the following
14 conditions and limitations:

15 (1) \$28,761,000 of the general fund--state appropriation for fiscal
16 year 2010 (~~and~~), \$28,761,000 of the general fund--state appropriation
17 for fiscal year 2011, and \$1,039,000 of the opportunity express
18 account--state appropriation are provided solely as special funds for
19 training and related support services, including financial aid, as
20 specified in RCW 28C.04.390. Funding is provided to support at least
21 6,200 full-time equivalent students in fiscal year 2010 and at least
22 (~~6,200~~) 6,425 full-time equivalent students in fiscal year 2011.

23 (2) \$2,725,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$2,725,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely for administration and customized
26 training contracts through the job skills program. The state board
27 shall make an annual report by January 1st of each year to the governor
28 and to the appropriate policy and fiscal committees of the legislature
29 regarding implementation of this section, listing the scope of grant
30 awards, the distribution of funds by educational sector and region of
31 the state, and the results of the partnerships supported by these
32 funds.

33 (3) Of the amounts appropriated in this section, \$3,500,000 is
34 provided solely for the student achievement initiative.

35 (4) When implementing the appropriations in this section, the state
36 board and the trustees of the individual community and technical
37 colleges shall minimize impact on academic programs, maximize
38 reductions in administration, and shall at least maintain, and endeavor

1 to increase, enrollment opportunities and degree and certificate
2 production in high employer-demand fields of study at their academic
3 year 2008-09 levels.

4 (5) Within the board's 2009-11 biennial budget allocation to
5 Bellevue College, and pursuant to RCW 28B.50.810, the college may
6 implement, on a tuition and fee basis, an additional applied
7 baccalaureate degree in interior design. This program is intended to
8 provide students with additional opportunities to earn baccalaureate
9 degrees and to respond to emerging job and economic growth
10 opportunities. The program reviews and approval decisions required by
11 RCW 28B.50.810 (3) and (4) shall be completed by July 31, 2009, so that
12 the degree may be offered during the 2009-10 academic year.

13 (6) In accordance with the recommendations of the higher education
14 coordinating board's 2008 *Kitsap region higher education center study*,
15 the state board shall facilitate development of university centers by
16 allocating thirty 2-year and 4-year partnership full-time enrollment
17 equivalencies to Olympic College and ten 2-year and 4-year partnership
18 full-time enrollment equivalencies to Peninsula College. The colleges
19 shall use the allocations to establish a partnership with a
20 baccalaureate university or universities for delivery of upper division
21 degree programs in the Kitsap region. The Olympic and Peninsula
22 Community College districts shall additionally work together to ensure
23 coordinated development of these and other future baccalaureate
24 opportunities through coordinated needs assessment, planning, and
25 scheduling.

26 (7) By September 1, 2009, the state board for community and
27 technical colleges, the higher education coordinating board, and the
28 office of financial management shall review and to the extent necessary
29 revise current 2009-11 performance measures and targets based on the
30 level of state, tuition, and other resources appropriated or authorized
31 in this act and in the omnibus 2009-11 omnibus capital budget act. The
32 boards and the office of financial management shall additionally
33 develop new performance targets for the 2011-13 and the 2013-15 biennia
34 that will guide and measure the community and technical college
35 system's contributions to achievement of the state's higher education
36 master plan goals.

37 (8) \$2,250,000 of the general fund--state appropriation for fiscal
38 year 2010 and \$2,250,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for the hospital employee
2 education and training program under which labor, management, and
3 college partnerships develop or expand and evaluate training programs
4 for incumbent hospital workers that lead to careers in nursing and
5 other high-demand health care occupations. The board shall report
6 student progress, outcomes, and costs to the relevant fiscal and policy
7 committees of the legislature by November 2009 and November 2010.

8 (9) Community and technical colleges are not required to send mass
9 mailings of course catalogs to residents of their districts. Community
10 and technical colleges shall consider lower cost alternatives, such as
11 mailing postcards or brochures that direct individuals to online
12 information and other ways of acquiring print catalogs.

13 (10) \$1,112,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$1,113,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the state board to enhance
16 online distance learning and open courseware technology. Funds shall
17 be used to support open courseware, open textbooks, open licenses to
18 increase access, affordability and quality of courses in higher
19 education. The state board for community and technical colleges shall
20 select the most appropriate courses to support open courseware based
21 solely upon criteria of maximizing the value of instruction and
22 reducing costs of textbooks and other instructional materials for the
23 greatest number of students in higher education, regardless of the type
24 of institution those students attend.

25 (11) \$210,000 of the general fund--state appropriation for fiscal
26 year 2011 is provided solely to implement House Bill No. 2694 (B.S. in
27 nursing/university center). If the bill is not enacted by June 30,
28 2010, the amount provided in this subsection shall lapse.

29 (12)(a) The labor education and research center is transferred from
30 The Evergreen State College to south Seattle community college and
31 shall begin operations on July 1, 2010.

32 (b) At least \$164,000 of the general fund--state appropriation for
33 fiscal year 2011 shall be expended on the labor education and research
34 center to provide outreach programs and direct educational and research
35 services to labor unions and worker-centered organizations.

36 (13) \$1,000,000 of the opportunity express account--state
37 appropriation is provided solely for the opportunity grant program as
38 specified in RCW 28B.50.271.

1 fiscal year 2011 are provided solely for forestry research by the
2 Olympic natural resources center.

3 (4) \$150,000 of the general fund--state appropriation for fiscal
4 year 2010 is provided solely for the William D. Ruckelshaus center for
5 facilitation, support, and analysis to support the nurse staffing
6 steering committee in its work to apply best practices related to
7 patient safety and nurse staffing.

8 (5) \$54,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$54,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the University of Washington
11 geriatric education center to provide a voluntary adult family home
12 certification program. In addition to the minimum qualifications
13 required under RCW 70.128.120, individuals participating in the
14 voluntary adult family home certification program shall complete fifty-
15 two hours of class requirements as established by the University of
16 Washington geriatric education center. Individuals completing the
17 requirements of RCW 70.128.120 and the voluntary adult family home
18 certification program shall be issued a certified adult family home
19 license by the department of social and health services. The
20 department of social and health services shall adopt rules implementing
21 the provisions of this subsection.

22 (6) \$50,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$52,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely for the center for international
25 trade in forest products in the college of forest resources.

26 (7)(a) \$183,000 of the general fund--state appropriation for fiscal
27 year 2011 is for the technology law and public policy clinic at the
28 University of Washington school of law to prepare a comprehensive
29 report identifying and analyzing trends in the telecommunications
30 industry and pathways for telecommunications regulatory reform. The
31 report must include, but not be limited to, a review of the following
32 issues: (i) The taxation treatment of all telecommunications services
33 that provide the same or functionally equivalent services; (ii) the
34 character and degree of competition in the telecommunications market;
35 (iii) the regulatory, legal, and economic barriers to adequate
36 competition, actual or perceived, that exist; (iv) what changes could
37 be made in policy, law, or administrative rule to address any actual or

1 perceived barriers to competition; and (v) the role of the utilities
2 and transportation commission in the oversight and regulation of
3 telecommunications services.

4 (b) The technology law and public policy clinic shall consult with
5 local governments, public utility districts, telecommunications service
6 providers, the utilities and transportation commission, the department
7 of revenue, and other stakeholders in preparing its analysis and
8 report.

9 (c) By December 1, 2011, the technology law and public policy
10 clinic shall issue a report to the legislature with recommendations on
11 legislative action that may be necessary in order to effectuate
12 telecommunications regulatory reform in Washington.

13 (8) \$250,000 of the general fund--state appropriation for fiscal
14 year 2011 is provided solely for joint planning to increase the number
15 of residency positions and programs in eastern Washington and Spokane
16 within the existing Washington, Wyoming, Alaska, Montana, Idaho (WWAMI)
17 regional medical education program partnership between the University
18 of Washington school of medicine, Washington State University, and area
19 physicians and hospitals. The joint planning efforts are to include
20 preparation of applications for new residency programs in family
21 medicine, internal medicine, obstetrics, psychiatry and general
22 surgery; business plans for those new programs; and for increasing the
23 number of positions in existing programs among regional academic and
24 hospital partners and networks. The results of the joint planning
25 efforts, including the status of the application preparation and
26 business plan, must be reported to the house of representatives
27 committee on higher education and the senate committee on higher
28 education and workforce development by December 1, 2010.

29 **Sec. 605.** 2009 c 564 s 607 (uncodified) is amended to read as
30 follows:

31 **FOR WASHINGTON STATE UNIVERSITY**

32	General Fund--State Appropriation (FY 2010)	((\$178,578,000))
33		\$178,592,000
34	General Fund--State Appropriation (FY 2011)	((\$196,163,000))
35		\$190,648,000
36	General Fund--Federal Appropriation	\$15,772,000
37	Education Legacy Trust Account--State Appropriation	\$34,696,000

1 TOTAL APPROPRIATION ((~~\$425,209,000~~))
2 \$419,708,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) In implementing the appropriations in this section, the
6 president and regents shall seek to minimize impacts on student
7 services and instructional programs by maximizing reductions in
8 administration and other non-instructional activities.

9 (2) Because higher education is an essential driver of economic
10 recovery and development, the university shall maintain, and endeavor
11 to increase, enrollment and degree production levels at or beyond their
12 academic year 2008-09 levels in the following high-demand fields:
13 Biological and biomedical sciences; computer and information sciences;
14 education with specializations in special education, math, or science;
15 engineering and engineering technology; health professions and related
16 clinical sciences; and mathematics and statistics.

17 (3) When implementing reductions for fiscal year 2010 and fiscal
18 year 2011, Washington State University shall minimize reductions to
19 extension services and agriculture extension services. Agriculture
20 extension includes:

21 (a) Faculty with extension appointments working within the
22 following departments in the college of agricultural, human, and
23 natural resource sciences with extension appointments: Animal
24 sciences, crop and soil sciences, entomology, horticulture, and plant
25 pathology;

26 (b) The portion of county extension educators' appointments
27 assigned to the "agricultural programs" area;

28 (c) Staff with extension appointments and extension operating
29 allocations located at the irrigated agriculture research and extension
30 center (Prosser), northwest Washington research and extension center
31 (Mt. Vernon), and tree fruit research and extension center (Wenatchee);
32 and

33 (d) Extension contributions to the center for precision
34 agricultural systems, center for sustaining agriculture and natural
35 resources, and the agriculture weather network.

36 (4) \$75,000 of the general fund--state appropriation for fiscal
37 year 2010 and \$75,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for research related to honeybee
2 colony collapse disease.

3 **Sec. 606.** 2009 c 564 s 608 (uncodified) is amended to read as
4 follows:

5 **FOR EASTERN WASHINGTON UNIVERSITY**

6	General Fund--State Appropriation (FY 2010)	((\$34,685,000))
7		<u>\$34,689,000</u>
8	General Fund--State Appropriation (FY 2011)	((\$40,796,000))
9		<u>\$39,335,000</u>
10	General Fund--Federal Appropriation	\$5,522,000
11	Education Legacy Trust Account--State Appropriation	\$16,087,000
12	TOTAL APPROPRIATION	((\$97,090,000))
13		<u>\$95,633,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations:

16 (1) In implementing the appropriations in this section, the
17 president and governing board shall seek to minimize impacts on student
18 services and instructional programs by maximizing reductions in
19 administration and other non-instructional activities.

20 (2) Because higher education is an essential driver of economic
21 recovery and development, the university shall maintain, and endeavor
22 to increase, enrollment and degree production levels at or beyond their
23 academic year 2008-09 levels in the following high-demand fields:
24 Biological and biomedical sciences; computer and information sciences;
25 education with specializations in special education, math, or science;
26 engineering and engineering technology; health professions and related
27 clinical sciences; and mathematics and statistics.

28 (3) At least \$200,000 of the general fund--state appropriation for
29 fiscal year 2010 and at least \$200,000 of the general fund--state
30 appropriation for fiscal year 2011 shall be expended on the northwest
31 autism center.

32 **Sec. 607.** 2009 c 564 s 609 (uncodified) is amended to read as
33 follows:

34 **FOR CENTRAL WASHINGTON UNIVERSITY**

35	General Fund--State Appropriation (FY 2010)	((\$30,284,000))
36		<u>\$30,289,000</u>

1	General Fund--State Appropriation (FY 2011)	(\$37,580,000)
2		<u>\$36,171,000</u>
3	General Fund--Federal Appropriation	\$6,975,000
4	Education Legacy Trust Account--State Appropriation	\$19,076,000
5	TOTAL APPROPRIATION	(\$93,915,000)
6		<u>\$92,511,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations:

9 (1) In implementing the appropriations in this section, the
10 president and governing board shall seek to minimize impacts on student
11 services and instructional programs by maximizing reductions in
12 administration and other non-instructional activities.

13 (2) Because higher education is an essential driver of economic
14 recovery and development, the university shall maintain, and endeavor
15 to increase, enrollment and degree production levels at or beyond their
16 academic year 2008-09 levels in the following high-demand fields:
17 Biological and biomedical sciences; computer and information sciences;
18 education with specializations in special education, math, or science;
19 engineering and engineering technology; health professions and related
20 clinical sciences; and mathematics and statistics.

21 **Sec. 608.** 2009 c 564 s 610 (uncodified) is amended to read as
22 follows:

23 **FOR THE EVERGREEN STATE COLLEGE**

24	General Fund--State Appropriation (FY 2010)	(\$20,512,000)
25		<u>\$20,514,000</u>
26	General Fund--State Appropriation (FY 2011)	(\$22,865,000)
27		<u>\$22,060,000</u>
28	General Fund--Federal Appropriation	\$2,366,000
29	Education Legacy Trust Account--State Appropriation	\$5,450,000
30	TOTAL APPROPRIATION	(\$51,193,000)
31		<u>\$50,390,000</u>

32 The appropriations in this section are subject to the following
33 conditions and limitations:

34 (1) In implementing the appropriations in this section, the
35 president and governing board shall seek to minimize impacts on student
36 services and instructional programs by maximizing reductions in
37 administration and other non-instructional activities.

1 (2) Because higher education is an essential driver of economic
2 recovery and development, the college shall maintain, and endeavor to
3 increase, enrollment and degree production levels at or beyond their
4 academic year 2008-09 levels in the following high-demand fields:
5 Biological and biomedical sciences; computer and information sciences;
6 education with specializations in special education, math, or science;
7 engineering and engineering technology; health professions and related
8 clinical sciences; and mathematics and statistics.

9 (3)(a) At least \$100,000 of the general fund--state appropriation
10 for fiscal year 2010 (~~(and at least \$100,000 of the general fund--state~~
11 ~~appropriation for fiscal year 2011))~~) shall be expended on the labor
12 education and research center.

13 (b) In fiscal year 2011 the labor education and research center
14 shall be transferred from The Evergreen State College to south Seattle
15 community college.

16 (4) \$100,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$100,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for the Washington state institute
19 for public policy to report to the legislature regarding efficient and
20 effective programs and policies. The report shall calculate the return
21 on investment to taxpayers from evidence-based prevention and
22 intervention programs and policies that influence crime, K-12 education
23 outcomes, child maltreatment, substance abuse, mental health, public
24 health, public assistance, employment, and housing. The institute for
25 public policy shall provide the legislature with a comprehensive list
26 of programs and policies that improve these outcomes for children and
27 adults in Washington and result in more cost-efficient use of public
28 resources. The institute shall submit interim reports by December 15,
29 2009, and October 1, 2010, and a final report by June 30, 2011. The
30 institute may receive additional funds from a private organization for
31 the purpose of conducting this study.

32 (5) To the extent federal or private funding is available for this
33 purpose, the Washington state institute for public policy and the
34 center for reinventing public education at the University of Washington
35 shall examine the relationship between participation in pension systems
36 and teacher quality and mobility patterns in the state. The department
37 of retirement systems shall facilitate researchers' access to necessary
38 individual-level data necessary to effectively conduct the study. The

1 researchers shall ensure that no individually identifiable information
2 will be disclosed at any time. An interim report on project findings
3 shall be completed by November 15, 2010, and a final report shall be
4 submitted to the governor and to the relevant committees of the
5 legislature by October 15, 2011.

6 (6) At least \$200,000 of the general fund--state appropriation for
7 fiscal year 2010 and at least \$200,000 of the general fund--state
8 appropriation for fiscal year 2011 shall be expended on the Washington
9 center for undergraduate education.

10 (7) \$15,000 of the general fund--state appropriation for fiscal
11 year 2010 is provided solely for the Washington state institute for
12 public policy to examine the need for and methods to increase the
13 availability of nonfood items, such as personal hygiene supplies,
14 soaps, paper products, and other items, to needy persons in the state.
15 The study shall examine existing private and public programs that
16 provide such products, and develop recommendations for the most cost-
17 effective incentives for private and public agencies to increase local
18 distribution outlets and local and regional networks of supplies. A
19 final report shall be delivered to the legislature and the governor by
20 December 1, 2009.

21 (8) \$17,000 of the general fund--state appropriation for fiscal
22 year 2010 and \$42,000 of the general fund--state appropriation for
23 fiscal year 2011 are provided to the Washington state institute for
24 public policy to implement Second Substitute House Bill No. 2106 (child
25 welfare outcomes). If the bill is not enacted by June 30, 2009, the
26 amounts provided in this subsection shall lapse.

27 (9) \$54,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$23,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely to implement Substitute Senate
30 Bill No. 5882 (racial disproportionality). If the bill is not enacted
31 by June 30, 2009, the amounts provided in this subsection shall lapse.

32 (10) \$75,000 of the general fund--state appropriation for fiscal
33 year 2010 is provided solely for the Washington state institute of
34 public policy to evaluate the adequacy of and access to financial aid
35 and independent living programs for youth in foster care. The
36 examination shall include opportunities to improve efficiencies within
37 these programs. The institute shall report its findings by December 1,
38 2009.

1 (11) \$75,000 of the general fund--state appropriation for fiscal
2 year 2010 is provided solely for the Washington state institute for
3 public policy to conduct an assessment of the general assistance
4 unemployable program and other similar programs. The assessment shall
5 include a review of programs in other states that provide similar
6 services and will include recommendations on promising approaches that
7 both improve client outcomes and reduce state costs. A report is due
8 by December 1, 2009.

9 (12) To the extent funds are available, the Washington state
10 institute for public policy is encouraged to continue the longitudinal
11 analysis of long-term mental health outcomes directed in chapter 334,
12 Laws of 2001 (mental health performance audit), to build upon the
13 evaluation of the impacts of chapter 214, Laws of 1999 (mentally ill
14 offenders); and to assess program outcomes and cost effectiveness of
15 the children's mental health pilot projects as required by chapter 372,
16 Laws of 2006.

17 (13) \$10,000 of the general fund--state appropriation for fiscal
18 year 2011 is provided solely for the Washington state institute for
19 public policy to perform an evaluation of state substance abuse
20 treatment programs as provided by the department of social and health
21 services. The examinations shall review whether substance abuse
22 treatment is provided to the appropriate clients in the appropriate
23 settings and the utilization of evidence-based practices that maximize
24 the effective use of limited state resources. The final report shall
25 be delivered to the legislature and the governor by November 15, 2010.

26 (14) \$55,000 of the general fund--state appropriation for fiscal
27 year 2011 is provided solely for the Washington state institute for
28 public policy to conduct a study of K-12 student suspensions and
29 expulsions. The study shall analyze available statewide data in
30 comparison with a sample of school district data, identify alternative
31 education options accessed by suspended and expelled students in a
32 sample of school districts, examine school district suspension and
33 expulsion policies, and include recommendations to improve statewide
34 suspensions and expulsions data. The institute shall report its
35 findings by December 1, 2010.

36 (15) \$60,000 of the general fund--state appropriation for fiscal
37 year 2011 is provided solely for the Washington state institute for

1 public policy to implement Second Substitute House Bill No. 3076
2 (concerning the involuntary treatment act). If the bill is not enacted
3 by June 30, 2010, the amount provided in this subsection shall lapse.

4 (16) At least \$119,207 of the general fund--state appropriation for
5 fiscal year 2011 shall be expended on the longhouse center.

6 (17) At least \$103,146 of the general fund--state appropriation for
7 fiscal year 2011 shall be expended on the Northwest Indian applied
8 research institute.

9 **Sec. 609.** 2009 c 564 s 611 (uncodified) is amended to read as
10 follows:

11 **FOR WESTERN WASHINGTON UNIVERSITY**

12	General Fund--State Appropriation (FY 2010)	((\$43,141,000))
13		<u>\$43,146,000</u>
14	General Fund--State Appropriation (FY 2011)	((\$52,752,000))
15		<u>\$50,990,000</u>
16	General Fund--Federal Appropriation	\$8,885,000
17	Education Legacy Trust Account--State Appropriation	\$13,036,000
18	TOTAL APPROPRIATION	((\$117,814,000))
19		<u>\$116,057,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations:

22 (1) In implementing the appropriations in this section, the
23 president and governing board shall seek to minimize impacts on student
24 services and instructional programs by maximizing reductions in
25 administration and other non-instructional activities.

26 (2) Because higher education is an essential driver of economic
27 recovery and development, the university shall maintain, and endeavor
28 to increase, enrollment and degree production levels at or beyond their
29 academic year 2008-09 levels in the following high-demand fields:
30 Biological and biomedical sciences; computer and information sciences;
31 education with specializations in special education, math, or science;
32 engineering and engineering technology; health professions and related
33 clinical sciences; and mathematics and statistics.

34 **Sec. 610.** 2009 c 564 s 612 (uncodified) is amended to read as
35 follows:

1 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**
2 **ADMINISTRATION**

3	General Fund--State Appropriation (FY 2010)	((\$6,611,000))
4		<u>\$6,612,000</u>
5	General Fund--State Appropriation (FY 2011)	((\$6,203,000))
6		<u>\$5,819,000</u>
7	General Fund--Federal Appropriation	\$4,352,000
8	TOTAL APPROPRIATION	((\$17,166,000))
9		<u>\$16,783,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations:

12 (1) Within the funds appropriated in this section, the higher
13 education coordinating board shall complete a system design planning
14 project that defines how the current higher education delivery system
15 can be shaped and expanded over the next ten years to best meet the
16 needs of Washington citizens and businesses for high quality and
17 accessible post-secondary education. The board shall propose policies
18 and specific, fiscally feasible implementation recommendations to
19 accomplish the goals established in the *2008 strategic master plan for*
20 *higher education*. The project shall specifically address the roles,
21 missions, and instructional delivery systems both of the existing and
22 of proposed new components of the higher education system; the extent
23 to which specific academic programs should be expanded, consolidated,
24 or discontinued and how that would be accomplished; the utilization of
25 innovative instructional delivery systems and pedagogies to reach both
26 traditional and nontraditional students; and opportunities to
27 consolidate institutional administrative functions. The study
28 recommendations shall also address the proposed location, role,
29 mission, academic program, and governance of any recommended new
30 campus, institution, or university center. During the planning
31 process, the board shall inform and actively involve the chairs from
32 the senate and house of representatives committees on higher education,
33 or their designees. The board shall report the findings and
34 recommendations of this system design planning project to the governor
35 and the appropriate committees of the legislature by December 1, 2009.

36 (2) \$146,000 of the general fund--state appropriation for fiscal
37 year 2010 and \$65,000 of the general fund--state appropriation for
38 fiscal year 2011 are provided solely for the higher education

1 coordinating board to administer Engrossed Second Substitute House Bill
2 No. 2021 (revitalizing student financial aid). If the bill is not
3 enacted by June 30, 2009, the amounts provided in this subsection shall
4 lapse.

5 (3) \$227,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$11,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely to implement Engrossed Second
8 Substitute House Bill No. 1946 (regarding higher education online
9 technology). If the bill is not enacted by June 30, 2009, the amounts
10 provided in this subsection shall lapse.

11 (4) \$400,000 of the general fund--state appropriation for fiscal
12 year 2010 and \$400,000 of the general fund--state appropriation for
13 fiscal year 2011 are provided solely for the higher education
14 coordinating board to contract with the Pacific Northwest university of
15 health sciences to conduct training and education of health care
16 professionals to promote osteopathic physician services in rural and
17 underserved areas of the state.

18 **Sec. 611.** 2009 c 564 s 613 (uncodified) is amended to read as
19 follows:

20 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**
21 **PROGRAMS**

22	General Fund--State Appropriation (FY 2010)	((\$204,332,000))
23		<u>\$192,332,000</u>
24	General Fund--State Appropriation (FY 2011)	((\$229,711,000))
25		<u>\$202,229,000</u>
26	General Fund--Federal Appropriation	\$13,124,000
27	Education Legacy Trust Account--State	
28	Appropriation	((\$88,062,000))
29		<u>\$111,236,000</u>
30	TOTAL APPROPRIATION	((\$535,229,000))
31		<u>\$518,921,000</u>

32 The appropriations in this section are subject to the following
33 conditions and limitations:

34 (1) ((~~\$191,704,000~~)) \$182,599,000 of the general fund--state
35 appropriation for fiscal year 2010, ((~~\$232,929,000~~)) \$194,154,000 of
36 the general fund--state appropriation for fiscal year 2011,
37 ((~~\$80,190,000~~)) \$104,190,000 of the education legacy trust account

1 appropriation, and (~~(\$2,446,000)~~) \$2,545,000 of the general fund--
2 federal appropriation are provided solely for student financial aid
3 payments under the state need grant; the state work study program
4 including up to a four percent administrative allowance; the Washington
5 scholars program; and the Washington award for vocational excellence.
6 State need grant(~~(7)~~) and the Washington award for vocational
7 excellence(~~(7, and state work study awards)~~) shall be adjusted to offset
8 the cost of the resident undergraduate tuition increases, limited to
9 those tuition increases authorized under this act. The Washington
10 scholars program shall provide awards sufficient to offset ninety
11 percent of the total tuition and fee award.

12 (2)(a) Within the funds appropriated in this section, eligibility
13 for the state need grant shall include students with family incomes at
14 or below 70 percent of the state median family income (MFI), adjusted
15 for family size. Awards for all students shall be adjusted by the
16 estimated amount by which Pell grant increases exceed projected
17 increases in the noninstructional costs of attendance. Awards for
18 students with incomes between 51 and 70 percent of the state median
19 shall be prorated at the following percentages of the award amount
20 granted to those with incomes below 51 percent of the MFI: 70 percent
21 for students with family incomes between 51 and 55 percent MFI; 65
22 percent for students with family incomes between 56 and 60 percent MFI;
23 60 percent for students with family incomes between 61 and 65 percent
24 MFI; and 50 percent for students with family incomes between 66 and 70
25 percent MFI.

26 (b) Grant awards for students at private four-year colleges shall
27 be set at the same level as the student would receive if attending one
28 of the public research universities.

29 (3) \$1,000,000 of the education legacy trust account--state
30 appropriation is provided solely to encourage more students to teach
31 secondary mathematics and science. \$500,000 of this amount is for the
32 future teacher scholarship and conditional loan program. \$500,000 of
33 this amount is provided to support state work study positions for
34 students to intern in secondary schools and classrooms.

35 (4) \$3,872,000 of the education legacy trust account--state
36 appropriation is provided solely for the passport to college
37 scholarship program pursuant to chapter 28B.117 RCW. The higher
38 education coordinating board shall contract with a college scholarship

1 organization with expertise in managing scholarships for low-income,
2 high-potential students and foster care children and young adults to
3 administer the program. Of the amount in this subsection, \$39,000 is
4 provided solely for the higher education coordinating board for
5 administration of the contract and the remaining shall be contracted
6 out to the organization for the following purposes:

7 (a) \$384,000 is provided solely for program administration, and

8 (b) \$3,449,000 is provided solely for student financial aid for up
9 to 151 students and to fund student support services. Funds are
10 provided for student scholarships, provider training, and for incentive
11 payments to the colleges they attend for individualized student support
12 services which may include, but are not limited to, college and career
13 advising, counseling, tutoring, costs incurred for students while
14 school is not in session, personal expenses, health insurance, and
15 emergency services.

16 (5) \$1,250,000 of the general fund--state appropriation for fiscal
17 year 2010 (~~(and \$1,250,000 of the general fund--state appropriation for~~
18 ~~fiscal year 2011 are))~~ is provided solely for the health professional
19 scholarship and loan program. The funds provided in this subsection
20 shall be: (a) Prioritized for health care deliver sites demonstrating
21 a commitment to serving the uninsured; and (b) allocated between loan
22 repayments and scholarships proportional to current program
23 allocations.

24 (6) For fiscal year 2010 and fiscal year 2011, the board shall
25 defer loan or conditional scholarship repayments to the future teachers
26 conditional scholarship and loan repayment program for up to one year
27 for each participant if the participant has shown evidence of efforts
28 to find a teaching job but has been unable to secure a teaching job per
29 the requirements of the program.

30 (7) \$246,000 of the general fund--state appropriation for fiscal
31 year 2010 and (~~(\$246,000))~~ \$165,000 of the general fund--state
32 appropriation for fiscal year 2011 are for community scholarship
33 matching grants and its administration. To be eligible for the
34 matching grant, nonprofit groups organized under section 501(c)(3) of
35 the federal internal revenue code must demonstrate they have raised at
36 least \$2,000 in new moneys for college scholarships after the effective
37 date of this section. Groups may receive no more than one \$2,000
38 matching grant per year and preference shall be given to groups

1 affiliated with scholarship America. Up to a total of \$46,000 per year
2 of the amount appropriated in this section may be awarded to a
3 nonprofit community organization to administer scholarship matching
4 grants, with preference given to an organization affiliated with
5 scholarship America.

6 (8) \$500,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$500,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely for state need grants provided to
9 students enrolled in three to five credit-bearing quarter credits, or
10 the equivalent semester credits. Total state expenditures on this
11 program shall not exceed the amounts provided in this subsection.

12 (9) (~~(\$3,000,000)~~) \$2,500,000 of the education legacy trust
13 account--state appropriation is provided solely for the gaining early
14 awareness and readiness for undergraduate programs project.

15 (10) \$75,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$75,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely for higher education student child
18 care matching grants under chapter 28B.135 RCW.

19 (11) \$50,000 of the general fund--state appropriation for fiscal
20 year 2011 is provided for the opportunity internship program as
21 specified in RCW 28C.18.160.

22 **Sec. 612.** 2009 c 564 s 614 (uncodified) is amended to read as
23 follows:

24 **FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

25	General Fund--State Appropriation (FY 2010)	((\$1,587,000))
26		<u>\$1,562,000</u>
27	General Fund--State Appropriation (FY 2011)	((\$1,556,000))
28		<u>\$1,306,000</u>
29	General Fund--Federal Appropriation	((\$54,262,000))
30		<u>\$54,032,000</u>
31	<u>Opportunity Express Account--State Appropriation</u>	<u>\$1,000,000</u>
32	TOTAL APPROPRIATION	((\$57,405,000))
33		<u>\$57,900,000</u>

34 The appropriations in this section are subject to the following
35 conditions and limitations: (~~(+2)~~)

36 (1) \$60,000 of the general fund--state appropriation for fiscal
37 year 2010 and \$60,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for implementation of Engrossed
2 Second Substitute House Bill No. 2227 (evergreen jobs act). If the
3 bill is not enacted by June 30, 2009, the amounts provided in this
4 subsection shall lapse.

5 (2) \$1,000,000 of the opportunity express account--state
6 appropriation is provided solely for distribution to local workforce
7 development councils for the development of local business internships
8 for the opportunity internships program as specified in RCW 28B.92.084
9 and the identification of high demand industries and skills in their
10 local economies.

11 **Sec. 613.** 2009 c 564 s 615 (uncodified) is amended to read as
12 follows:

13 **FOR THE SPOKANE INTERCOLLEGIATE RESEARCH AND TECHNOLOGY INSTITUTE**

14	General Fund--State Appropriation (FY 2010)	\$1,598,000
15	General Fund--State Appropriation (FY 2011)	((\$1,611,000))
16		<u>\$1,511,000</u>
17	TOTAL APPROPRIATION	((\$3,209,000))
18		<u>\$3,109,000</u>

19 The appropriations in this section are subject to the following
20 conditions and limitations: Within existing resources, the Spokane
21 intercollegiate research and technology institute shall coordinate with
22 the Washington technology center to identify gaps and overlaps in
23 programs and evaluate strategies to reduce administrative overhead
24 expenses per section 122(27) of this act.

25 **Sec. 614.** 2009 c 564 s 616 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF EARLY LEARNING**

28	General Fund--State Appropriation (FY 2010)	((\$60,478,000))
29		<u>\$60,379,000</u>
30	General Fund--State Appropriation (FY 2011)	((\$61,045,000))
31		<u>\$62,144,000</u>
32	General Fund--Federal Appropriation	((\$244,859,000))
33		<u>\$265,598,000</u>
34	<u>Home Visiting Services Account--State Appropriation</u>	<u>\$100,000</u>
35	TOTAL APPROPRIATION	((\$366,382,000))
36		<u>\$388,221,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations:

3 (1) (~~(\$55,696,000)~~) \$54,878,000 of the general fund--state
4 appropriation for fiscal year 2010 and (~~(\$55,696,000)~~) \$54,878,000 of
5 the general fund--state appropriation for fiscal year 2011 are provided
6 solely for early childhood education and assistance program services.
7 This appropriation temporarily reduces the number of slots for the
8 2009-11 fiscal biennium for the early childhood education and
9 assistance program. The department shall reduce slots where providers
10 serve both federal headstart and early childhood education and
11 assistance program children, to the greatest extent possible, in order
12 to achieve no reduction of slots across the state. The amounts in this
13 subsection also reflect reductions to the administrative expenditures
14 for the early childhood education and assistance program. The
15 department shall reduce administrative expenditures, to the greatest
16 extent possible, prior to reducing early childhood education and
17 assistance program slots. Of these amounts, \$10,284,000 is a portion
18 of the biennial amount of state matching dollars required to receive
19 federal child care and development fund grant dollars.

20 (2) \$1,000,000 of the general fund--federal appropriation is
21 provided to the department to contract with Thrive by Five, Washington
22 for a pilot project for a quality rating and improvement system to
23 provide parents with information they need to choose quality child care
24 and education programs and to improve the quality of early care and
25 education programs. The department in collaboration with Thrive by
26 Five shall operate the pilot projects in King, Yakima, Clark, Spokane,
27 and Kitsap counties. The department shall use child care development
28 fund quality money for this purpose.

29 (3) \$425,000 of the general fund--state appropriation for fiscal
30 year 2010, (~~(\$425,000)~~) \$325,000 of the general fund--state
31 appropriation for fiscal year 2011, and \$850,000 of the general fund--
32 federal appropriation are provided solely for child care resource and
33 referral network services. The general fund--federal funding
34 represents moneys from the American recovery and reinvestment act of
35 2009 (child care development block grant).

36 (4) \$750,000 of the general fund--state appropriation for fiscal
37 year 2010, \$750,000 of the general fund--state appropriation for fiscal
38 year 2011, and \$1,500,000 of the general fund--federal appropriation

1 are provided solely for the career and wage ladder program created by
2 chapter 507, Laws of 2005. The general fund--federal funding
3 represents moneys from the American recovery and reinvestment act of
4 2009 (child care development block grant).

5 (5) \$50,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$50,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely for the department to work with
8 stakeholders and the office of the superintendent of public instruction
9 to identify and test a kindergarten assessment process and tools in
10 geographically diverse school districts. School districts may
11 participate in testing the kindergarten assessment process on a
12 voluntary basis. The department shall report to the legislature on the
13 kindergarten assessment process not later than January 15, 2011.
14 Expenditure of amounts provided in this subsection is contingent on
15 receipt of an equal match from private sources. As matching funds are
16 made available, the department may expend the amounts provided in this
17 subsection.

18 (6) \$1,600,000 of the general fund--federal appropriation is
19 provided solely for the department to fund programs to improve the
20 quality of infant and toddler child care through training, technical
21 assistance, and child care consultation.

22 (7) \$200,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$200,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided solely to develop and provide culturally
25 relevant supports for parents, family, and other caregivers.

26 (8) \$98,000 of the general fund--state appropriation for fiscal
27 year 2011 is provided solely for implementation of Second Substitute
28 House Bill No. 2731 (creating an early learning program for
29 educationally at-risk children). If the bill is not enacted by June
30 30, 2010, the amount provided in this subsection shall lapse.

31 (9) \$8,425,000 of the general fund--federal appropriation for
32 fiscal year 2011 and \$8,370,000 of the American recovery and
33 reinvestment act grant are provided to implement Substitute House Bill
34 No. 2741 (transferring the infant and toddler early intervention
35 program from the department of social and health services to the
36 department of early learning). Effective July 1, 2010, the infant and
37 toddler early intervention program is moved from the department of

1 social and health services to the department of early learning and
2 renamed the early support program.

3 (10) The legislature notes that the department of early learning is
4 developing a plan for improving child care licensing and is consulting,
5 as practicable, with parents, licensed child care providers, and
6 stakeholders from the child care community. The plan shall outline the
7 processes and specify the resources necessary for improvements such as
8 continuing licenses, child care licensing technology, and weighted
9 child care regulations, including development of risk-based decision
10 making models and inclusive, evidence-based rule making. The
11 department shall submit to the appropriate committees of the
12 legislature a plan by January 15, 2011.

13 ~~((9))~~ (11) The department is the lead agency for and recipient of
14 the federal child care and development fund grant. Amounts within this
15 grant shall be used to fund child care licensing, quality initiatives,
16 agency administration, and other costs associated with child care
17 subsidies. The department shall transfer a portion of this grant to
18 the department of social and health services to partially fund the
19 child care subsidies paid by the department of social and health
20 services on behalf of the department of early learning.

21 ~~((10))~~ (12) The department shall use child care development fund
22 money to satisfy the federal audit requirement of the improper payments
23 act (IPIA) of 2002. In accordance with the IPIA's rules, the money
24 spent on the audits will not count against the five percent state limit
25 on administrative expenditures.

26 ~~((11))~~ (13) Within available amounts, the department in
27 consultation with the office of financial management and the department
28 of social and health services shall report quarterly enrollments and
29 active caseload for the working connections child care program to the
30 legislative fiscal committees. The report shall also identify the
31 number of cases participating in both temporary assistance for needy
32 families and working connections child care.

33 ~~((12))~~ (14) The appropriations in this section reflect reductions
34 in the appropriations for the department's administrative expenses. It
35 is the intent of the legislature that these reductions shall be
36 achieved, to the greatest extent possible, by reducing those
37 administrative costs that do not affect direct client services or
38 direct service delivery or program.

1 (1) \$210,000 of the general fund--private/local appropriation is
2 provided solely for the operation of the shared reading video outreach
3 program. The school for the deaf shall provide this service to the
4 extent it is funded by contracts with school districts and educational
5 service districts.

6 (2) \$25,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$25,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely for implementation of Engrossed
9 Second Substitute House Bill No. 1879 (deaf and hard of hearing). If
10 the bill is not enacted by June 30, 2009, the amounts provided in this
11 subsection shall lapse.

12 **Sec. 617.** 2009 c 564 s 619 (uncodified) is amended to read as
13 follows:

14 **FOR THE WASHINGTON STATE ARTS COMMISSION**

15	General Fund--State Appropriation (FY 2010)	((\$1,876,000))
16		<u>\$1,844,000</u>
17	General Fund--State Appropriation (FY 2011)	((\$1,883,000))
18		<u>\$1,359,000</u>
19	General Fund--Federal Appropriation	((\$1,923,000))
20		<u>\$1,944,000</u>
21	General Fund--Private/Local Appropriation	\$1,054,000
22	TOTAL APPROPRIATION	((\$6,736,000))
23		<u>\$6,201,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations: It is the intent of the legislature that
26 the reductions in appropriations in this section shall be achieved, to
27 the greatest extent possible, by reducing those administrative costs
28 that do not affect direct client services or direct service delivery or
29 programs. The agency shall, to the greatest extent possible, reduce
30 spending in those areas that shall have the least impact on
31 implementing its mission.

32 **Sec. 618.** 2009 c 564 s 620 (uncodified) is amended to read as
33 follows:

34 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

35	General Fund--State Appropriation (FY 2010)	\$2,592,000
36	General Fund--State Appropriation (FY 2011)	((\$2,636,000))

1		\$2,390,000
2	TOTAL APPROPRIATION	((\$5,228,000))
3		<u>\$4,982,000</u>

4 The appropriations in this section are subject to the following
5 conditions and limitations:

6 (1) It is the intent of the legislature that the reductions in
7 appropriations in this section shall be achieved, to the greatest
8 extent possible, by reducing those administrative costs that do not
9 affect direct client services or direct service delivery or programs.
10 The agency shall, to the greatest extent possible, reduce spending in
11 those areas that shall have the least impact on implementing its
12 mission.

13 (2) The Washington state historical society shall negotiate and
14 enter into an interagency agreement with the eastern Washington state
15 historical society to consolidate or share certain administrative and
16 programmatic functions currently being performed by each agency
17 independently and shall proportionately share the costs of such shared
18 functions. Examples of shared functions may include, but are not
19 limited to, exhibit planning and display, educational programming,
20 financial services, information technology, and digital archives.

21 **Sec. 619.** 2009 c 564 s 621 (uncodified) is amended to read as
22 follows:

23 **FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

24	General Fund--State Appropriation (FY 2010)	\$1,612,000
25	General Fund--State Appropriation (FY 2011)	((\$1,655,000))
26		<u>\$1,501,000</u>
27	TOTAL APPROPRIATION	((\$3,267,000))
28		<u>\$3,113,000</u>

29 The appropriations in this section are subject to the following
30 conditions and limitations:

31 (1) It is the intent of the legislature that the reductions in
32 appropriations in this section shall be achieved, to the greatest
33 extent possible, by reducing those administrative costs that do not
34 affect direct client services or direct service delivery or programs.
35 The agency shall, to the greatest extent possible, reduce spending in
36 those areas that shall have the least impact on implementing its
37 mission.

1 (2) The eastern Washington state historical society shall negotiate
2 and enter into an interagency agreement with the Washington state
3 historical society to consolidate or share certain administrative and
4 programmatic functions currently being performed by each agency
5 independently and shall proportionately share the costs of such shared
6 functions. Examples of shared functions may include, but are not
7 limited to, exhibit planning and display, educational programming,
8 financial services, information technology, and digital archives.

(End of part)

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2009 c 564 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2010), General Fund--State Appropriation (FY 2011), State Building Construction Account--State Appropriation, Columbia River Basin Water Supply Development Account--State Appropriation, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation, State Taxable Building Construction Account--State Appropriation, Gardner-Evans Higher Education Construction Account--State Appropriation, Debt-Limit Reimbursable Bond Retirement Account--State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2010 shall be expended into the debt-limit general fund bond retirement account by June 30, 2010.

1	Seattle-King County Department of Public Health	\$9,531,747	\$9,531,747	\$19,063,494
2	Bremerton-Kitsap County Health District	\$554,669	\$554,669	\$1,109,338
3	Kittitas County Health Department	\$92,499	\$92,499	\$184,998
4	Klickitat County Health Department	\$62,402	\$62,402	\$124,804
5	Lewis County Health Department	\$105,801	\$105,801	\$211,602
6	Lincoln County Health Department	\$29,705	\$29,705	\$59,410
7	Mason County Department of Health Services	\$95,988	\$95,988	\$191,976
8	Okanogan County Health District	\$63,458	\$63,458	\$126,916
9	Pacific County Health Department	\$77,427	\$77,427	\$154,854
10	Tacoma-Pierce County Health Department	\$2,820,590	\$2,820,590	\$5,641,180
11	San Juan County Health and Community Services	\$37,531	\$37,531	\$75,062
12	Skagit County Health Department	\$223,927	\$223,927	\$447,854
13	Snohomish Health District	\$2,258,207	\$2,258,207	\$4,516,414
14	Spokane County Health District	\$2,101,429	\$2,101,429	\$4,202,858
15	Northeast Tri-County Health District	\$110,454	\$110,454	\$220,908
16	Thurston County Health Department	\$600,419	\$600,419	\$1,200,838
17	Wahkiakum County Health Department	\$13,773	\$13,772	\$27,545
18	Walla Walla County-City Health Department	\$172,062	\$172,062	\$344,124
19	Whatcom County Health Department	\$855,863	\$855,863	\$1,711,726
20	Whitman County Health Department	\$78,733	\$78,733	\$157,466
21	Yakima Health District	\$623,797	\$623,797	\$1,247,594
22	TOTAL APPROPRIATIONS	\$24,000,000	\$24,000,000	\$48,000,000

23 **Sec. 705.** 2009 c 564 s 710 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO**
26 **RETIREMENT SYSTEMS.** The appropriations in this section are subject to
27 the following conditions and limitations: The appropriations for the
28 law enforcement officers' and firefighters' retirement system shall be
29 made on a monthly basis beginning July 1, 2009, consistent with chapter
30 41.45 RCW, and the appropriations for the judges and judicial
31 retirement systems shall be made on a quarterly basis consistent with
32 chapters 2.10 and 2.12 RCW.

33 (1) There is appropriated for state contributions to the law
34 enforcement officers' and firefighters' retirement system:

35	General Fund--State Appropriation (FY 2010)	\$51,500,000
36	General Fund--State Appropriation (FY 2011)	(\$54,300,000)
37		<u>\$55,400,000</u>

1 TOTAL APPROPRIATION ((~~\$105,800,000~~))
2 \$106,900,000

3 (2) There is appropriated for contributions to the judicial
4 retirement system:

5 General Fund--State Appropriation (FY 2010) \$11,570,000
6 General Fund--State Appropriation (FY 2011) ((~~\$12,860,000~~))
7 \$10,860,000
8 TOTAL APPROPRIATION ((~~\$24,430,000~~))
9 \$22,430,000

10 **Sec. 706.** 2009 c 564 s 717 (uncodified) is amended to read as
11 follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CAPITOL BUILDING CONSTRUCTION**
13 **ACCOUNT**

14 General Fund--State Appropriation (FY 2010) ((~~\$2,312,000~~))
15 \$1,912,000
16 General Fund--State Appropriation (FY 2011) \$3,615,000
17 TOTAL APPROPRIATION ((~~\$5,927,000~~))
18 \$5,527,000

19 The appropriations in this section are subject to the following
20 conditions and limitations: The appropriations are provided solely for
21 expenditure into the capitol building construction account.

22 NEW SECTION. **Sec. 707.** A new section is added to 2009 c 564
23 (uncodified) to read as follows:

24 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--STATE AGENCY AND HIGHER**
25 **EDUCATION EMPLOYEE COMPENSATION REDUCTIONS**

26 General Fund--State Appropriation (FY 2010) (\$3,742,000)
27 General Fund--State Appropriation (FY 2011) (\$44,906,000)
28 Special Account Salary/Insurance Increase Account--State
29 Revolving Account Appropriation (\$51,975,000)
30 TOTAL APPROPRIATION (\$100,623,000)

31 (1) State agencies, including institutions of higher education,
32 shall reduce compensation expenditures by the amounts specified in this
33 section. These reductions shall be made proportionately based on each
34 state agency and institution's share of the total compensation of all
35 state employees.

1 (2) The appropriations for state agencies, including institutions
2 of higher education, are subject to the following conditions and
3 limitations: Appropriations are adjusted to reflect changes to agency
4 appropriations to reflect savings resulting from reducing compensation.
5 To facilitate the transfer of moneys from dedicated funds and accounts
6 the state treasurer is directed to transfer sufficient moneys from each
7 dedicated fund or account to the special account retirement
8 contribution increase revolving account in accordance with schedules
9 provided by the office of financial management.

10 NEW SECTION. **Sec. 708.** A new section is added to 2009 c 564
11 (uncodified) to read as follows:

12 **FOR SUNDRY CLAIMS.** The following sums, or so much thereof as may
13 be necessary, are appropriated from the general fund, unless otherwise
14 indicated, for relief of various individuals, firms, and corporations
15 for sundry claims. These appropriations are to be disbursed on
16 vouchers approved by the director of financial management, except as
17 otherwise provided, as follows:

18 (1) Reimbursement of criminal defendants acquitted on the basis of
19 self-defense, pursuant to RCW 9A.16.110:

- 20 (a) Gerald S. Morrow, claim number 99970006 \$20,567
- 21 (b) Darrell R. Baumgart, claim number 99970007 \$4,528
- 22 (c) William Davis, claim number 99970008 \$8,093
- 23 (d) Gene T. Strader, claim number 99970009 \$33,875
- 24 (e) Cecilio Cortez, claim number 99970012 \$17,055
- 25 (f) Alexander D. Coble, claim number 99970013 \$302,110
- 26 (g) James W. Jolly, claim number 99970017 \$28,884
- 27 (h) James Jay Olsen, claim number 99970018 \$97,220
- 28 (i) Todd E. Miller, claim number 99970019 \$6,957
- 29 (j) Sean S. DeHart, claim number 99970021 \$52,062
- 30 (k) Thomas L. Raglin, Jr., claim number 99970022 \$4,360
- 31 (l) Matthew Smitham, claim number 99970016 \$8,100
- 32 (m) John R. Frederick, claim number 99970020 \$7,719
- 33 (n) Justin C. Federmeier, claim number 99970023 \$29,728
- 34 (o) David R. Palmer, claim number 99970024 \$4,250
- 35 (p) Ian K. Berghoffer, claim number 99970026 \$33,455

36 (2) Payment of death benefit, pursuant to RCW 41.04.017: Estate of
37 Erik Anderson, claim number 99970014 \$150,000

1 NEW SECTION. **Sec. 709.** A new section is added to 2009 c 564
2 (uncodified) to read as follows:

3 **STRATEGIC PRINTING STRATEGY.** (1) The office of financial
4 management shall work with the appropriate state agencies to generate
5 savings of \$6,162,000, of which \$3,081,000 shall be from the state
6 general fund, that can arise from a strategic printing strategy. From
7 appropriations in this act, the office of financial management shall
8 reduce general fund--state allotments by \$3,081,000 for fiscal year
9 2011 to reflect the savings from the strategic printing strategy. The
10 allotment reductions shall be placed in unallotted status and remain
11 unexpended.

12 (2) The office of financial management, with the assistance of the
13 department of information services and the department of printing,
14 shall conduct an analysis of the state's printing processes to identify
15 the most reasonable strategies of attaining a statewide savings target
16 of \$6,162,000 without affecting direct program activities. The
17 strategies shall include, but not be limited to, standardizing
18 envelopes, utilizing print management, and streamlining processes. The
19 analysis shall identify savings by agency and fund that will result
20 from the implementation of a strategic printing strategy. The results
21 of this analysis shall then be provided to the director of financial
22 management and appropriate legislative committees by July 1, 2010. The
23 director may use the analysis as the basis to achieve the savings
24 identified in subsection (1) of this section.

25 NEW SECTION. **Sec. 710.** A new section is added to 2009 c 564
26 (uncodified) to read as follows:

27 **INFORMATION TECHNOLOGY.** Pursuant to section 15 of Substitute
28 House Bill No. 3178 (state government technology use), the office of
29 financial management shall work with the appropriate state agencies to
30 generate savings of \$60,000,000 from technology efficiencies, of which
31 \$30,000,000 shall be from the state general fund. From appropriations
32 in this act, the office of financial management shall reduce general
33 fund--state allotments by \$30,000,000 for fiscal year 2011. The
34 allotment reductions shall be placed in unallotted status and remain
35 unexpended. Nothing in this section is intended to impact revenue
36 collection efforts by the department of revenue.

1 retirement purposes). ((If the bill is not enacted by June 30, 2009,
2 the amounts provided in this section shall lapse.

3 ~~(2) To facilitate the transfer of moneys to dedicated funds and
4 accounts, the state treasurer shall transfer sufficient moneys to each
5 dedicated fund or account from the special account retirement
6 contribution increase revolving account in accordance with schedules
7 provided by the office of financial management.))~~

8 NEW SECTION. Sec. 714. A new section is added to 2009 c 564
9 (uncodified) to read as follows:

10 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--READING ACHIEVEMENT ACCOUNT**
11 General Fund--State Appropriation (FY 2011) \$150,000

12 The appropriation in this section is subject to the following
13 conditions and limitations: The appropriation is provided solely for
14 the purpose of providing support to early reading programs operated
15 within medical offices.

16 NEW SECTION. Sec. 715. A new section is added to 2009 c 564
17 (uncodified) to read as follows:

18 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--OPPORTUNITY EXPRESS ACCOUNT**
19 General Fund--State Appropriation (FY 2011) \$3,039,000

20 The appropriation in this section is provided solely for
21 expenditure into the opportunity express account--state.

22 **Sec. 716.** 2009 c 564 s 914 (uncodified) is amended to read as
23 follows:

24 **COMPENSATION--INSURANCE BENEFITS.**
25 General Fund--State Appropriation (FY 2011) \$22,340,000
26 Salary and Insurance Increase Revolving
27 Account Appropriation \$111,554,000
28 TOTAL APPROPRIATION \$133,894,000

29 Appropriations for state agencies in this act and this section are
30 sufficient for nonrepresented and represented state employee health
31 benefits for state agencies, including institutions of higher education
32 ((and)). The office of financial management shall update agency
33 appropriations schedules to reflect the changes to funding levels in
34 this section by agency and fund. To facilitate the transfer of moneys
35 from dedicated funds and accounts, the state treasurer is directed to

1 transfer sufficient moneys, in an amount not to exceed \$68,554,000 from
2 each dedicated fund or account to the special salary/insurance increase
3 account in accordance with schedules provided by the office of
4 financial management. The appropriations for health insurance funding
5 rates in state agency appropriations, and those in this section are
6 subject to the following conditions and limitations:

7 (1) The legislature finds that the monthly employer funding rates
8 in the 2009-2011 operating budget, in combination with the level of
9 state employee premium share collectively bargained following the
10 conclusion of the 2009 legislative session, have produced an inadequate
11 stream of revenue to maintain the state employee health benefits system
12 in a sustainable and stable financial position. The increase to the
13 monthly employer funding rate made in this section is made with the
14 intent that the governor immediately request that the coalition of all
15 the exclusive bargaining representatives with which health care benefit
16 funding is bargained commence bargaining over a corresponding increase
17 in the employee share of health premiums.

18 (2)(a) The monthly employer funding rate for insurance benefit
19 premiums, public employees' benefits board administration, and the
20 uniform medical plan, shall not exceed \$745 per eligible employee for
21 fiscal year 2010. For fiscal year 2011 the monthly employer funding
22 rate shall not exceed ((~~\$768~~)) \$863 per eligible employee, nor shall a
23 plan for expenditures on benefits and administration by the public
24 employees' benefits board be adopted that results in projected total
25 reserve funds being less than \$90,000,000 by June 30, 2011.

26 (b) In order to achieve the level of funding provided for health
27 benefits, the public employees' benefits board shall require any or all
28 of the following: Employee premium copayments, increases in
29 point-of-service cost sharing, the implementation of managed
30 competition, or make other changes to benefits consistent with RCW
31 41.05.065. During the 2009-11 fiscal biennium, the board may only
32 authorize benefit plans and premium contributions for an employee and
33 the employee's dependents that are the same, regardless of an
34 employee's status as represented or nonrepresented under the personnel
35 system reform act of 2002.

36 (c) The health care authority shall deposit any moneys received on
37 behalf of the uniform medical plan as a result of rebates on
38 prescription drugs, audits of hospitals, subrogation payments, or any

1 other moneys recovered as a result of prior uniform medical plan claims
2 payments, into the public employees' and retirees' insurance account to
3 be used for insurance benefits. Such receipts shall not be used for
4 administrative expenditures.

5 (d) The conditions in this section apply to benefits for
6 nonrepresented employees, employees represented by the super coalition,
7 and represented employees outside of the super coalition, including
8 employees represented under chapter 47.64 RCW.

9 ~~((+2))~~ (3) The health care authority, subject to the approval of
10 the public employees' benefits board, shall provide subsidies for
11 health benefit premiums to eligible retired or disabled public
12 employees and school district employees who are eligible for medicare,
13 pursuant to RCW 41.05.085. From January 1, 2010, through the remainder
14 of the 2009-11 fiscal biennium, the subsidy shall be \$182.89.

15 ~~((+3))~~ (4) Technical colleges, school districts, and educational
16 service districts shall remit to the health care authority for deposit
17 into the public employees' and retirees' insurance account established
18 in RCW 41.05.120 the following amounts:

19 (a) For each full-time employee, \$59.59 per month beginning
20 September 1, 2009, and \$64.90 beginning September 1, 2010;

21 (b) For each part-time employee, who at the time of the remittance
22 is employed in an eligible position as defined in RCW 41.32.010 or
23 41.40.010 and is eligible for employer fringe benefit contributions for
24 basic benefits, \$59.59 each month beginning September 1, 2009, and
25 \$64.90 beginning September 1, 2010, prorated by the proportion of
26 employer fringe benefit contributions for a full-time employee that the
27 part-time employee receives. The remittance requirements specified in
28 this subsection shall not apply to employees of a technical college,
29 school district, or educational service district who purchase insurance
30 benefits through contracts with the health care authority.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2009 c 564 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions ((\$8,268,000)) \$7,572,000

General Fund Appropriation for public utility district excise tax distributions ((\$48,771,000)) \$47,342,000

General Fund Appropriation for prosecuting attorney distributions \$6,281,000

General Fund Appropriation for boating safety and education distributions \$4,854,000

General Fund Appropriation for other tax distributions \$50,000

General Fund Appropriation for habitat conservation program distributions \$3,000,000

Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies \$2,544,000

Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution \$170,000

Timber Tax Distribution Account Appropriation for distribution to "timber" counties ((\$69,288,000)) \$36,651,000

County Criminal Justice Assistance Appropriation ((\$66,374,000)) \$68,528,000

Municipal Criminal Justice Assistance Appropriation ((\$25,622,000)) \$27,175,000

City-County Assistance Account Appropriation for local government financial assistance distribution ((\$28,564,000)) \$27,366,000

Liquor Excise Tax Account Appropriation for liquor

1	excise tax distribution	((\$50,950,000))
2		<u>\$58,268,000</u>
3	Streamlined Sales and Use Tax <u>Mitigation</u> Account	
4	Appropriation for distribution to local taxing	
5	jurisdictions to mitigate the unintended	
6	revenue redistribution effect of the sourcing	
7	law changes	((\$65,038,000))
8		<u>\$50,056,000</u>
9	Columbia River Water Delivery Account Appropriation for the	
10	Confederated Tribes of the Colville Reservation . .	((\$7,308,000))
11		<u>\$7,374,000</u>
12	Columbia River Water Delivery Account Appropriation for the	
13	Spokane Tribe of Indians	((\$4,676,000))
14		<u>\$4,773,000</u>
15	Liquor Revolving Account Appropriation for liquor	
16	profits distribution	((\$80,435,000))
17		<u>\$68,741,000</u>
18	Liquor Revolving Account Appropriation for additional	
19	liquor profits distribution to local	
20	governments	\$18,677,000
21	TOTAL APPROPRIATION	((\$490,870,000))
22		<u>\$439,422,000</u>

23 The total expenditures from the state treasury under the
24 appropriations in this section shall not exceed the funds available
25 under statutory distributions for the stated purposes.

26 **Sec. 802.** 2009 c 564 s 805 (uncodified) is amended to read as
27 follows:

28 **FOR THE STATE TREASURER--TRANSFERS.**

29 State Treasurer's Service Account: For transfer to the
30 state general fund, ((~~\$10,400,000~~)) \$16,400,000 for
31 fiscal year 2010 and ((~~\$10,400,000~~)) \$16,400,000 for
32 fiscal year 2011 ((~~\$20,800,000~~))
33 \$32,800,000

34 Waste Reduction, Recycling and Litter Control Account: For
35 transfer to the state general fund, ((~~\$2,000,000~~)) \$3,000,000
36 for fiscal year 2010 and ((~~\$2,000,000~~)) \$3,000,000 for fiscal
37 year 2011 ((~~\$4,000,000~~))

1		<u>\$6,000,000</u>
2	State Toxics Control Account: For transfer to the state	
3	general fund, \$15,340,000 for fiscal year 2010 and	
4	\$14,400,000 for fiscal year 2011	\$29,740,000
5	Local Toxics Control Account: For transfer to the state	
6	general fund, \$37,060,000 for fiscal year 2010 and	
7	\$36,000,000 for fiscal year 2011	\$73,060,000
8	Education Construction Account: For transfer to the	
9	state general fund, \$93,362,000 for fiscal year	
10	2010 and \$100,401,000 for fiscal year 2011	\$193,763,000
11	Aquatics Lands Enhancement Account: For transfer to the	
12	state general fund, \$5,050,000 for fiscal year 2010	
13	and \$5,050,000 for fiscal year 2011	\$10,100,000
14	Drinking Water Assistance Account: For transfer to the	
15	drinking water assistance repayment account	\$28,600,000
16	Economic Development Strategic Reserve Account: For	
17	transfer to the state general fund, \$2,500,000 for	
18	fiscal year 2010 and \$2,500,000 for fiscal	
19	year 2011	\$5,000,000
20	Tobacco Settlement Account: For transfer to the state	
21	general fund, in an amount not to exceed by more	
22	than \$26,000,000 the actual amount of the annual	
23	payment to the tobacco settlement account	\$204,098,000
24	Tobacco Settlement Account: For transfer to the life	
25	sciences discovery fund, in an amount not to exceed	
26	\$26,000,000 less than the actual amount of the strategic	
27	contribution supplemental payment to the tobacco	
28	settlement account	\$39,170,000
29	General Fund: For transfer to the <u>streamlined</u> sales and	
30	use tax <u>mitigation</u> account, \$31,447,000 for fiscal year 2010 and	
31	\$33,591,000 for fiscal year 2011	\$65,038,000
32	State Convention and Trade Center Account: For transfer	
33	to the state convention and trade center operations	
34	account, \$1,000,000 for fiscal year 2010 and \$3,100,000	
35	for fiscal year 2011	\$4,100,000
36	Tobacco Prevention and Control Account: For transfer	
37	to the state general fund for fiscal year 2010	\$1,961,000
38	Nisqually Earthquake Account: For transfer to the	

1 disaster response account for fiscal year 2010 \$500,000
2 Judicial Information Systems Account: For transfer
3 to the state general fund, \$2,500,000 for fiscal
4 year 2010 and \$2,500,000 for fiscal year 2011 \$5,000,000
5 Department of Retirement Systems Expense Account: For
6 transfer to the state general fund, \$1,000,000 for
7 fiscal year 2010 and \$1,500,000 for fiscal year
8 2011 ((~~\$1,500,000~~))
9 \$2,500,000
10 State Emergency Water Projects Account: For transfer
11 to the state general fund, \$390,000 for fiscal
12 year 2011 \$390,000
13 The Charitable, Educational, Penal, and Reformatory
14 Institutions Account: For transfer to the state
15 general fund, \$5,550,000 for fiscal year 2010 and
16 ((~~\$5,550,000~~)) \$4,082,000 for fiscal year
17 2011 ((~~\$11,100,000~~))
18 \$9,632,000
19 Energy Freedom Account: For transfer to the state
20 general fund, ((~~\$2,978,000~~)) \$4,038,000 for fiscal year
21 2010 and \$2,978,000 for fiscal year 2011 ((~~\$5,956,000~~))
22 \$7,016,000
23 Thurston County Capital Facilities Account: For
24 transfer to the state general fund, ((~~\$4,194,000~~)) \$6,882,000
25 for fiscal year 2010 and \$4,194,000 for fiscal year
26 2011 ((~~\$8,388,000~~))
27 \$11,076,000
28 Public Works Assistance Account: For transfer to
29 the state general fund, ((~~\$184,000,000~~)) \$196,000,000 for
30 fiscal year 2010 and ((~~\$184,000,000~~)) \$196,000,000 for
31 fiscal year 2011 ((~~\$368,000,000~~))
32 \$392,000,000
33 Budget Stabilization Account: For transfer to the
34 state general fund for fiscal year 2010 \$45,130,000
35 Liquor Revolving Account: For transfer to the state
36 general fund, \$31,000,000 for fiscal year 2010 and
37 \$31,000,000 for fiscal year 2011 \$62,000,000
38 Public Works Assistance Account: For transfer to the

1 city-county assistance account, \$5,000,000 on
 2 July 1, 2009, and \$5,000,000 on July 1, 2010 \$10,000,000
 3 Public Works Assistance Account: For transfer to the
 4 drinking water assistance account, ((~~\$4,000,000~~)) \$5,465,000
 5 for fiscal year 2010 and ((~~\$4,000,000~~)) \$5,465,000 for
 6 fiscal year 2011 ((~~\$8,000,000~~))
 7 \$10,930,000
 8 Performance Audits of Government Account: For transfer
 9 to the state general fund, \$10,000,000 for fiscal
 10 year 2010 and \$5,000,000 for fiscal year 2011 \$15,000,000
 11 Water Quality Capital Account: For transfer to the state
 12 general fund, \$278,000 for fiscal year 2011 \$278,000
 13 Savings Incentive Account: For transfer to the state
 14 general fund, \$10,117,000 for fiscal year 2010 \$10,117,000
 15 University of Washington Building Account: For transfer to
 16 the state general fund, \$18,339,000 for fiscal year
 17 2011 (for university purposes) \$18,339,000
 18 Eastern Washington University Capital Projects Account:
 19 For transfer to the state general fund, \$3,408,000 for
 20 fiscal year 2011 (for university purposes) \$3,408,000
 21 Central Washington University Capital Projects Account:
 22 For transfer to the state general fund, \$4,931,000 for
 23 fiscal year 2011 (for university purposes) \$4,931,000
 24 The Evergreen State College Capital Projects Account:
 25 For transfer to the state general fund, \$5,839,000 for
 26 fiscal year 2011 (for college purposes) \$5,839,000
 27 Western Washington University Capital Projects Account:
 28 For transfer to the state general fund, \$2,307,000 for
 29 fiscal year 2011 (for university purposes) \$2,307,000
 30 Community and Technical College Capital Construction
 31 Account, 1975: For transfer to the state general fund,
 32 \$3,135,000 for fiscal year 2011 (for college
 33 purposes) \$3,135,000
 34 GET Ready for Math and Science Account: For transfer to
 35 the state general fund, \$1,650,000 for fiscal year
 36 2010 \$1,650,000
 37 Future Teachers Conditional Scholarship Account: For transfer
 38 to the state general fund, \$2,100,000 for fiscal year

1	<u>2010</u>	<u>\$2,100,000</u>
2	<u>Education Savings Account: For transfer to the state</u>	
3	<u>general fund, \$100,767,000 for fiscal year 2010</u>	<u>\$100,767,000</u>
4	<u>Financial Services Regulation Account: For transfer</u>	
5	<u>to the state general fund, \$2,000,000 for fiscal</u>	
6	<u>year 2010 and \$2,000,000 for fiscal year 2011</u>	<u>\$4,000,000</u>
7	<u>Public Service Revolving Account: For transfer to</u>	
8	<u>the state general fund, \$6,000,000 for fiscal</u>	
9	<u>year 2010 and \$5,000,000 for fiscal year 2011</u>	<u>\$11,000,000</u>
10	<u>Shared Game Lottery Account: For transfer to the</u>	
11	<u>education legacy trust account, \$3,600,000 for fiscal</u>	
12	<u>year 2010 and \$2,400,000 for fiscal year 2011</u>	<u>\$6,000,000</u>
13	<u>State Lottery Account: For transfer to the education</u>	
14	<u>legacy trust account, \$8,400,000 for fiscal</u>	
15	<u>year 2010 and \$5,600,000 for fiscal year 2011</u>	<u>\$14,000,000</u>
16	<u>Streamlined Sales and Use Tax Mitigation Account: For</u>	
17	<u>transfer to the state general fund, \$5,000,000</u>	
18	<u>for fiscal year 2010 and \$5,000,000 for fiscal</u>	
19	<u>year 2011</u>	<u>\$10,000,000</u>
20	<u>Data Processing Revolving Account: For transfer</u>	
21	<u>to the Salary/Insurance Increase Revolving</u>	
22	<u>Account--State for fiscal year 2011</u>	<u>\$30,000,000</u>
23	<u>Public Works Assistance Account: For transfer to the</u>	
24	<u>Salary/Insurance Increase Revolving Account--State</u>	
25	<u>for fiscal year 2011</u>	<u>\$13,000,000</u>

(End of part)

1 (l) Employees hired on a seasonal basis by the department of
2 agriculture for inspection and certification of agricultural products
3 and for insect detection;

4 (m) Activities directly related to tax and fee collection, revenue
5 generation, auditing, and recovery;

6 (n) In institutions of higher education, any positions directly
7 related to academic programs, as well as positions not funded from
8 state funds or tuition, positions that are filled by enrolled students
9 at their own institution as student workers, positions in campus police
10 and security, positions related to emergency management and response,
11 and positions related to student health care and counseling;

12 (o) Operations of the state lottery and liquor control board
13 business enterprises;

14 (p) The unemployment insurance program of the employment security
15 department; and

16 (q) Activities that are necessary to receive or maintain federal
17 funds by the state.

18 (3) The exemptions specified in subsection (2) of this section do
19 not require the establishment of new staff positions or the filling of
20 vacant staff positions in the activities specified.

21 (4) Exceptions to this section may be granted under section 605 of
22 this act.

23 (5) Also exempted from this section are positions related to
24 facility realignments in the department of corrections, positions
25 related to the transfer of programs between state agencies assumed in
26 this act, disability determination staff funded solely by federal
27 funds, and positions necessary to implement legislation passed in the
28 2010 legislative session.

29 NEW SECTION. Sec. 902. A new section is added to 2009 c 564
30 (uncodified) to read as follows:

31 **AGENCY STAFFING.** (1) By July 1, 2010, all state agencies must
32 prepare and submit to the office of financial management staffing plans
33 for fiscal year 2011. The first plan must list, by month and by job
34 class, the number of budgeted FTEs, salaries, and benefits for the
35 state general fund. The second plan must list, by month and by job
36 class, the number of budgeted FTEs, salaries, and benefits for the
37 total of all other allotted funds. The plans must be submitted at the

1 same organizational level of detail as funds are appropriated to the
2 agency. Agency allotments and staffing plans submitted to the office
3 of financial management must be consistent.

4 (2) Agencies may only allot FTEs to the extent that the funding
5 allotment contains sufficient funding to fully support those positions.
6 To the extent that allotted FTEs would exceed available funding to
7 support those positions, agencies shall request that the office of
8 financial management revise their full-time equivalent staff allotment
9 to the funded level; legislative and judicial agencies shall report the
10 revised level to the office of financial management. The office of
11 financial management shall summarize, by agency, the changes made under
12 this subsection and provide that information to the appropriate fiscal
13 committees of the legislature by October 1, 2010.

14 (3) Each agency shall report to the office of financial management
15 the number of FTEs filled, by job class, as of July 1, 2010. The
16 information must be provided at the same level of detail as is
17 contained in the staffing plan. For any positions that are vacant on
18 that date, the agency shall list the date that position was last
19 filled. The office of financial management shall summarize information
20 provided under this subsection and report to the appropriate fiscal
21 committees of the legislature by October 1, 2010.

22 NEW SECTION. **Sec. 903.** A new section is added to 2009 c 564
23 (uncodified) to read as follows:

24 **SMALL AGENCY CLIENT SERVICES.** All small agencies with less than
25 176 FTE shall utilize the office of financial management small agency
26 client services for budget, accounting and payroll services. The
27 director of the office of financial management shall define the
28 transition process and specific agency requirements.

29 NEW SECTION. **Sec. 904.** A new section is added to 2009 c 564
30 (uncodified) to read as follows:

31 For purposes of RCW 43.88.110(7), any cash deficit in existence at
32 the close of fiscal year 2010 shall be liquidated over the remainder of
33 the 2009-2011 fiscal biennium.

34 NEW SECTION. **Sec. 905.** A new section is added to 2009 c 564
35 (uncodified) to read as follows:

CORE FUNCTIONS OF GOVERNMENT REVIEW.

(1) The legislature intends to evaluate whether the state agencies and activities are performing in the most efficient manner.

(2) By August 1, 2010, the joint legislative audit and review committee must select one of the priorities of government results and determine the relative priority of each activity based on the activity's contribution to the overall objectives of the priorities of government results area.

(3) The state auditor must select at least one but not more than four of the highest priority activities identified under subsection (2) of this section to be the subject of performance audits. The activities must be selected for performance audits under this subsection based on the evidence that the program or activity would likely benefit from the evaluation or review. The performance audit shall be conducted using generally accepted government auditing standards and may include an evaluation of: (a) Ways to improve performance, streamline operations, and provide cost-effective service to citizens; (b) programs and services that can be eliminated, reduced, consolidated, or enhanced; and (c) gaps and overlaps in the programs and services and recommendations for improving, eliminating, blending, or separating functions to correct gaps or overlaps.

(4) The state auditor must select at least one of the lowest priority activities identified in subsection (2) of this section to be the subject of an activity assessment. The assessment must address the following questions:

(a) Does the activity continue to serve the purpose for which it was created?

(b) In comparison to other programs and priorities, does this purpose continue to merit the use of the state's limited resources?

(c) Does this activity continue to contribute to the priorities of government identified?

(d) Are there better alternatives for the use of these resources or to accomplish the objective of the activity?

(5) The performance audits conducted under subsection (3) of this section and the assessments under subsection (4) of this section must be completed by June 30, 2011.

(6) The state auditor must reimburse the joint legislative audit

1 and review committee for reasonable costs incurred in completing the
2 requirements under this section.

3 **Sec. 906.** RCW 15.76.115 and 2001 2nd sp.s. c 16 s 1 are each
4 amended to read as follows:

5 The fair fund is created in the custody of the state treasury. All
6 moneys received by the department of agriculture for the purposes of
7 this fund and from RCW 67.16.105(4) shall be deposited into the fund.
8 (~~At the beginning of fiscal year 2002 and~~) Except for fiscal year
9 2011, each fiscal year (~~thereafter,~~) the state treasurer shall
10 transfer into the fair fund from the general fund the sum of two
11 million dollars. Expenditures from the fund may be used only for
12 assisting fairs in the manner provided in this chapter. Only the
13 director of agriculture or the director's designee may authorize
14 expenditures from the fund. The fund is subject to allotment
15 procedures under chapter 43.88 RCW, but no appropriation is required
16 for expenditures.

17 **Sec. 907.** RCW 28B.35.370 and 2009 c 499 s 5 are each amended to
18 read as follows:

19 Within thirty-five days from the date of collection thereof all
20 building fees of each regional university and The Evergreen State
21 College shall be paid into the state treasury and these together with
22 such normal school fund revenues as provided in RCW 28B.35.751 as are
23 received by the state treasury shall be credited as follows:

24 (1) On or before June 30th of each year the board of trustees of
25 each regional university and The Evergreen State College, if issuing
26 bonds payable out of its building fees and above described normal
27 school fund revenues, shall certify to the state treasurer the amounts
28 required in the ensuing twelve months to pay and secure the payment of
29 the principal of and interest on such bonds. The amounts so certified
30 by each regional university and The Evergreen State College shall be a
31 prior lien and charge against all building fees and above described
32 normal school fund revenues of such institution. The state treasurer
33 shall thereupon deposit the amounts so certified in the Eastern
34 Washington University capital projects account, the Central Washington
35 University capital projects account, the Western Washington University
36 capital projects account, or The Evergreen State College capital

1 projects account respectively, which accounts are hereby created in the
2 state treasury. The amounts deposited in the respective capital
3 projects accounts shall be used to pay and secure the payment of the
4 principal of and interest on the building bonds issued by such regional
5 universities and The Evergreen State College as authorized by law. If
6 in any twelve month period it shall appear that the amount certified by
7 any such board of trustees is insufficient to pay and secure the
8 payment of the principal of and interest on the outstanding building
9 and above described normal school fund revenue bonds of its
10 institution, the state treasurer shall notify the board of trustees and
11 such board shall adjust its certificate so that all requirements of
12 moneys to pay and secure the payment of the principal of and interest
13 on all such bonds then outstanding shall be fully met at all times.

14 (2) All normal school fund revenue pursuant to RCW 28B.35.751 shall
15 be deposited in the Eastern Washington University capital projects
16 account, the Central Washington University capital projects account,
17 the Western Washington University capital projects account, or The
18 Evergreen State College capital projects account respectively, which
19 accounts are hereby created in the state treasury. The sums deposited
20 in the respective capital projects accounts shall be appropriated and
21 expended to pay and secure the payment of the principal of and interest
22 on bonds payable out of the building fees and normal school revenue and
23 for the construction, reconstruction, erection, equipping, maintenance,
24 demolition and major alteration of buildings and other capital assets,
25 and the acquisition of sites, rights-of-way, easements, improvements or
26 appurtenances in relation thereto except for any sums transferred
27 therefrom as authorized by law. During the 2009-2011 biennium, sums in
28 the respective capital accounts shall also be used for routine facility
29 maintenance and utility costs. In addition, the legislature may
30 transfer from the respective capital projects accounts to the state
31 general fund such amounts as reflect the excess fund balance of the
32 account for university purposes.

33 (3) Funds available in the respective capital projects accounts may
34 also be used for certificates of participation under chapter 39.94 RCW.

35 **Sec. 908.** RCW 28B.57.050 and 1991 sp.s. c 13 s 51 are each amended
36 to read as follows:

37 The proceeds from the sale of the bonds authorized herein, together

1 with all grants, donations, transferred funds, and all other moneys
2 which the state finance committee or the college board may direct the
3 state treasurer to deposit therein, shall be deposited in the 1975
4 community college capital construction account, hereby created in the
5 state treasury. In the 2009-2011 fiscal biennium, the legislature may
6 transfer from the community college capital construction account to the
7 state general fund such amounts as reflect the excess fund balance of
8 the account for college purposes.

9 **Sec. 909.** RCW 28B.102.080 and 2007 c 396 s 9 are each amended to
10 read as follows:

11 (1) The future teachers conditional scholarship account is created
12 in the custody of the state treasurer. An appropriation is not
13 required for expenditures of funds from the account. The account is
14 not subject to allotment procedures under chapter 43.88 RCW except for
15 moneys used for program administration.

16 (2) The board shall deposit in the account all moneys received for
17 the future teachers conditional scholarship and loan repayment program
18 and for conditional loan programs under chapter 28A.660 RCW. The
19 account shall be self-sustaining and consist of funds appropriated by
20 the legislature for the future teachers conditional scholarship and
21 loan repayment program, private contributions to the program, receipts
22 from participant repayments from the future teachers conditional
23 scholarship and loan repayment program, and conditional loan programs
24 established under chapter 28A.660 RCW. Beginning July 1, 2004, the
25 board shall also deposit into the account: (a) All funds from the
26 institution of higher education loan account that are traceable to any
27 conditional scholarship program for teachers or prospective teachers
28 established by the legislature before June 10, 2004; and (b) all
29 amounts repaid by individuals under any such program.

30 (3) Expenditures from the account may be used solely for
31 conditional loans and loan repayments to participants in the future
32 teachers conditional scholarship and loan repayment program established
33 by this chapter, conditional scholarships for participants in programs
34 established in chapter 28A.660 RCW, and costs associated with program
35 administration by the board.

36 (4) Disbursements from the account may be made only on the
37 authorization of the board.

1 (5) In the 2009-2011 fiscal biennium, the legislature may transfer
2 from the future teachers conditional scholarship account to the state
3 general fund such amounts as reflect the excess fund balance of the
4 account.

5 **Sec. 910.** RCW 28B.105.110 and 2009 c 564 s 1807 and 2009 c 564 s
6 920 are each reenacted and amended to read as follows:

7 (1) The GET ready for math and science scholarship account is
8 created in the custody of the state treasurer.

9 (2) The board shall deposit into the account all money received for
10 the GET ready for math and science scholarship program from
11 appropriations and private sources. The account shall be
12 self-sustaining.

13 (3) Expenditures from the account shall be used for scholarships to
14 eligible students and for purchases of GET units. Purchased GET units
15 shall be owned and held in trust by the board. Expenditures from the
16 account shall be an equal match of state appropriations and private
17 funds raised by the program administrator. During the 2009-2011 fiscal
18 biennium, expenditures from the account not to exceed five percent may
19 be used by the program administrator to carry out the provisions of RCW
20 28B.105.090.

21 (4) With the exception of the operating costs associated with the
22 management of the account by the treasurer's office as authorized in
23 chapter 43.79A RCW, the account shall be credited with all investment
24 income earned by the account.

25 (5) Disbursements from the account are exempt from appropriations
26 and the allotment provisions of chapter 43.88 RCW.

27 (6) Disbursements from the account shall be made only on the
28 authorization of the board.

29 (7) During the 2007-2009 fiscal biennium, the legislature may
30 transfer state appropriations to the GET ready for math and science
31 scholarship account that have not been matched by private contributions
32 to the state general fund.

33 (8) During the 2009-2011 fiscal biennium, the legislature may
34 transfer from the GET ready for math and science scholarship account to
35 the state general fund such amounts as reflect the excess fund balance
36 of the account.

1 **Sec. 911.** RCW 43.09.475 and 2009 c 564 s 929 are each amended to
2 read as follows:

3 The performance audits of government account is hereby created in
4 the custody of the state treasurer. Revenue identified in RCW
5 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money
6 in the account shall be used to fund the performance audits and follow-
7 up performance audits under RCW 43.09.470 and shall be expended by the
8 state auditor in accordance with chapter 1, Laws of 2006. Only the
9 state auditor or the state auditor's designee may authorize
10 expenditures from the account. The account is subject to allotment
11 procedures under chapter 43.88 RCW, but an appropriation is not
12 required for expenditures. During the 2009-2011 fiscal biennium, the
13 legislature may transfer from the performance audits of government
14 account to the state general fund such amounts as deemed to be
15 appropriate or necessary. Additionally during the 2009-2011 fiscal
16 biennium, the account may be used to conduct performance audits and
17 assessments and to reimburse the joint legislative audit and review
18 committee for reasonable costs as described in section 905 of this act.

19 **Sec. 912.** RCW 43.20A.725 and 2004 c 254 s 1 are each amended to
20 read as follows:

21 (1) The department, through the sole authority of the office or its
22 successor organization, shall maintain a program whereby an individual
23 of school age or older who possesses a hearing or speech impairment is
24 provided with telecommunications equipment, software, and/or peripheral
25 devices, digital or otherwise, that is determined by the office to be
26 necessary for such a person to access and use telecommunications
27 transmission services effectively.

28 (2) The department, through the sole authority of the office or its
29 successor organization, shall maintain a program where
30 telecommunications relay services of a human or electronic nature will
31 be provided to connect hearing impaired, deaf-blind, or speech impaired
32 persons with persons who do not have a hearing or speech impairment.
33 Such telecommunications relay services shall provide the ability for an
34 individual who has a hearing or speech impairment to engage in voice,
35 tactile, or visual communication by wire or radio with a hearing
36 individual in a manner that is functionally equivalent to the ability

1 of an individual who does not have a hearing or speech impairment to
2 communicate using voice or visual communication services by wire or
3 radio subject to subsection (4)(b) of this section.

4 (3) The telecommunications relay service and equipment distribution
5 program may operate in such a manner as to provide communications
6 transmission opportunities that are capable of incorporating new
7 technologies that have demonstrated benefits consistent with the intent
8 of this chapter and are in the best interests of the citizens of this
9 state.

10 (4) The office shall administer and control the award of money to
11 all parties incurring costs in implementing and maintaining
12 telecommunications services, programs, equipment, and technical support
13 services according to this section. The relay service contract shall
14 be awarded to an individual company registered as a telecommunications
15 company by the utilities and transportation commission, to a group of
16 registered telecommunications companies, or to any other company or
17 organization determined by the office as qualified to provide relay
18 services, contingent upon that company or organization being approved
19 as a registered telecommunications company prior to final contract
20 approval. The relay system providers and telecommunications equipment
21 vendors shall be selected on the basis of cost-effectiveness and
22 utility to the greatest extent possible under the program and technical
23 specifications established by the office.

24 (a) To the extent funds are available under the then-current rate
25 and not otherwise held in reserve or required for other purposes
26 authorized by this chapter, the office may award contracts for
27 communications and related services and equipment for hearing impaired
28 or speech impaired individuals accessing or receiving services provided
29 by, or contracted for, the department to meet access obligations under
30 Title 2 of the federal Americans with disabilities act or related
31 federal regulations.

32 (b) The office shall perform its duties under this section with the
33 goal of achieving functional equivalency of access to and use of
34 telecommunications services similar to the enjoyment of access to and
35 use of such services experienced by an individual who does not have a
36 hearing or speech impairment only to the extent that funds are
37 available under the then-current rate and not otherwise held in reserve
38 or required for other purposes authorized by this chapter.

1 (5) The program shall be funded by a telecommunications relay
2 service (TRS) excise tax applied to each switched access line provided
3 by the local exchange companies. The office shall determine, in
4 consultation with the office's program advisory committee, the budget
5 needed to fund the program on an annual basis, including both
6 operational costs and a reasonable amount for capital improvements such
7 as equipment upgrade and replacement. The budget proposed by the
8 office, together with documentation and supporting materials, shall be
9 submitted to the office of financial management for review and
10 approval. The approved budget shall be given by the department in an
11 annual budget to the department of revenue no later than March 1st
12 prior to the beginning of the fiscal year. The department of revenue
13 shall then determine the amount of telecommunications relay service
14 excise tax to be placed on each switched access line and shall inform
15 local exchange companies and the utilities and transportation
16 commission of this amount no later than May 1st. The department of
17 revenue shall determine the amount of telecommunications relay service
18 excise tax to be collected in the following fiscal year by dividing the
19 total of the program budget, as submitted by the office, by the total
20 number of switched access lines in the prior calendar year, as reported
21 to the department of revenue under chapter 82.14B RCW, and shall not
22 exercise any further oversight of the program under this subsection
23 other than administering the collection of the telecommunications relay
24 service excise tax as provided in RCW 82.72.010 through 82.72.090. The
25 telecommunications relay service excise tax shall not exceed nineteen
26 cents per month per access line. The telecommunications relay service
27 excise tax shall be separately identified on each ratepayer's bill with
28 the following statement: "Funds federal ADA requirement." All
29 proceeds from the telecommunications relay service excise tax shall be
30 put into a fund to be administered by the office through the
31 department. During the 2009-2011 fiscal biennium, the funds may also
32 be used to provide individualized employment services and employment-
33 related _ counseling _ to _ people _ with _ disabilities, _ and _ technical
34 assistance _ to _ employers _ about _ the _ employment _ of _ people _ with
35 disabilities. "Switched access line" has the meaning provided in RCW
36 82.14B.020.

37 (6) The telecommunications relay service program and equipment
38 vendors shall provide services and equipment consistent with the

1 requirements of federal law for the operation of both interstate and
2 intrastate telecommunications services for the hearing impaired or
3 speech impaired. The department and the utilities and transportation
4 commission shall be responsible for ensuring compliance with federal
5 requirements and shall provide timely notice to the legislature of any
6 legislation that may be required to accomplish compliance.

7 (7) The department shall adopt rules establishing eligibility
8 criteria, ownership obligations, financial contributions, and a program
9 for distribution to individuals requesting and receiving such
10 telecommunications devices distributed by the office, and other rules
11 necessary to administer programs and services consistent with this
12 chapter.

13 **Sec. 913.** RCW 43.43.944 and 2007 c 520 s 6034 are each amended to
14 read as follows:

15 (1) The fire service training account is hereby established in the
16 state treasury. The fund shall consist of:

17 (a) All fees received by the Washington state patrol for fire
18 service training;

19 (b) All grants and bequests accepted by the Washington state patrol
20 under RCW 43.43.940;

21 (c) Twenty percent of all moneys received by the state on fire
22 insurance premiums; and

23 (d) General fund--state moneys appropriated into the account by the
24 legislature.

25 (2) Moneys in the account may be appropriated only for fire service
26 training. The state patrol may use amounts appropriated from the fire
27 service training account under this section to contract with the
28 Washington state firefighters apprenticeship trust for the operation of
29 the firefighter joint apprenticeship training program. The contract
30 may call for payments on a monthly basis. During the ((2007-2009))
31 2009-2011 fiscal biennium, the legislature may appropriate funds from
32 this account for school fire prevention activities within the
33 Washington state patrol ((and additional sanitary wastewater treatment
34 capacity at the state fire service training center)).

35 (3) Any general fund--state moneys appropriated into the account
36 shall be allocated solely to the firefighter joint apprenticeship

1 training program. The Washington state patrol may contract with
2 outside entities for the administration and delivery of the firefighter
3 joint apprenticeship training program.

4 **Sec. 914.** RCW 43.60A.185 and 2006 c 343 s 8 are each amended to
5 read as follows:

6 The veterans innovations program account is created in the state
7 treasury. Moneys in the account may be spent only after appropriation.
8 Expenditures from the account may be used only for purposes of the
9 veterans innovations program. During the 2009-2011 fiscal biennium,
10 the funds may be used for contracting for veterans claims assistance
11 services.

12 **Sec. 915.** RCW 43.79.080 and 1985 c 57 s 36 are each amended to
13 read as follows:

14 There shall be in the state treasury a fund known and designated as
15 the "University of Washington building account". In the 2009-2011
16 fiscal biennium, the legislature may transfer from the University of
17 Washington building account to the state general fund such amounts as
18 reflect the excess fund balance of the account for university purposes.

19 **Sec. 916.** RCW 43.79.460 and 2009 c 518 s 21 are each amended to
20 read as follows:

21 (1) The savings incentive account is created in the custody of the
22 state treasurer. The account shall consist of all moneys appropriated
23 to the account by the legislature. The account is subject to the
24 allotment procedures under chapter 43.88 RCW, but no appropriation is
25 required for expenditures from the account.

26 (2) Within the savings incentive account, the state treasurer may
27 create subaccounts to be credited with incentive savings attributable
28 to individual state agencies, as determined by the office of financial
29 management in consultation with the legislative fiscal committees.
30 Moneys deposited in the subaccounts may be expended only on the
31 authorization of the agency's executive head or designee and only for
32 the purpose of one-time expenditures to improve the quality,
33 efficiency, and effectiveness of services to customers of the state,
34 such as one-time expenditures for employee training, employee
35 incentives, technology improvements, new work processes, or performance

1 measurement. Funds may not be expended from the account to establish
2 new programs or services, expand existing programs or services, or
3 incur ongoing costs that would require future expenditures.

4 (3) For purposes of this section, "incentive savings" means state
5 general fund appropriations that are unspent as of June 30th of a
6 fiscal year, excluding any amounts included in across-the-board
7 reductions under RCW 43.88.110 and excluding unspent appropriations
8 for:

9 (a) Caseload and enrollment in entitlement programs, except to the
10 extent that an agency has clearly demonstrated that efficiencies have
11 been achieved in the administration of the entitlement program.
12 "Entitlement program," as used in this section, includes programs for
13 which specific sums of money are appropriated for pass-through to third
14 parties or other entities;

15 (b) Enrollments in state institutions of higher education;

16 (c) A specific amount contained in a condition or limitation to an
17 appropriation in the biennial appropriations act, if the agency did not
18 achieve the specific purpose or objective of the condition or
19 limitation;

20 (d) Debt service on state obligations; and

21 (e) State retirement system obligations.

22 (4) The office of financial management, after consulting with the
23 legislative fiscal committees, shall report the amount of savings
24 incentives achieved.

25 (5) For fiscal year 2009, the legislature may transfer from the
26 savings incentive account to the state general fund such amounts as
27 reflect the fund balance of the account attributable to unspent state
28 general fund appropriations for fiscal year 2008.

29 (6) For fiscal year 2010, the legislature may transfer from the
30 savings incentive account to the state general fund such amounts as
31 reflect the fund balance of the account attributable to unspent state
32 general fund appropriations for fiscal year 2009.

33 **Sec. 917.** RCW 43.79.465 and 2009 c 4 s 903 are each amended to
34 read as follows:

35 The education savings account is created in the state treasury.
36 The account shall consist of all moneys appropriated to the account by
37 the legislature.

1 (1) Ten percent of legislative appropriations to the education
2 savings account shall be distributed as follows: (a) Fifty percent to
3 the distinguished professorship trust fund under RCW 28B.76.565; (b)
4 seventeen percent to the graduate fellowship trust fund under RCW
5 28B.76.610; and (c) thirty-three percent to the college faculty awards
6 trust fund under RCW 28B.50.837.

7 (2) The remaining moneys in the education savings account may be
8 appropriated solely for (a) common school construction projects that
9 are eligible for funding from the common school construction account,
10 (b) technology improvements in the common schools, (c) during the 2001-
11 03 fiscal biennium, technology improvements in public higher education
12 institutions, (~~and~~) (d) during the 2007-2009 fiscal biennium, the
13 legislature may transfer from the education savings account to the
14 state general fund such amounts as reflect the excess fund balance of
15 the account attributable to unspent state general fund appropriations
16 for fiscal year 2008, and (e) during the 2009-2011 fiscal biennium, the
17 legislature may transfer from the education savings account to the
18 state general fund such amounts as reflect the excess fund balance of
19 the account attributable to unspent state general fund appropriations
20 for fiscal year 2009.

21 NEW SECTION. Sec. 918. A new section is added to chapter 43.215
22 RCW to read as follows:

23 (1)(a) The home visiting services account is created in the custody
24 of the state treasurer. Revenues to the account shall consist of
25 appropriations by the legislature and all other sources deposited in
26 the account.

27 (b) Expenditures from the account shall be used for state matching
28 funds for the purposes of the program established in this section
29 including administrative expenses. Only the director, or the
30 director's designee, may authorize expenditures from the account.
31 Authorizations for expenditures may be given only after private funds
32 are committed and available.

33 (c) Expenditures from the account are exempt from the
34 appropriations and allotment provisions of chapter 43.88 RCW. However,
35 amounts used for program administration by the department are subject
36 to the allotment and budgetary controls of chapter 43.88 RCW, and an
37 appropriation is required for these expenditures.

1 (2) The department must expend moneys from the account to provide
2 state matching funds for partnership activities to implement home
3 visiting services and administer the infrastructure necessary to
4 develop, support, and evaluate evidence-based, research-based, and
5 promising home visiting programs.

6 (3) Activities eligible for funding through the account include,
7 but are not limited to:

8 (a) Home visiting services that achieve one or more of the
9 following: (i) Enhancing child development and well-being by
10 alleviating the effects on child development of poverty and other known
11 risk factors; (ii) reducing the incidence of child abuse and neglect;
12 or (iii) promoting school readiness for young children and their
13 families; and

14 (b) Development and maintenance of the infrastructure for home
15 visiting programs, including training, quality improvement, and
16 evaluation.

17 (4) Beginning July 1, 2010, the department shall contract with the
18 nongovernmental private-public partnership designated in RCW 43.215.070
19 to administer programs funded through the home visiting services
20 account. The department shall monitor performance and provide periodic
21 reports on the use outcomes of the home visiting services account.

22 (5) The nongovernmental private-public partnership shall, in the
23 administration of the programs:

24 (a) Fund programs through a competitive bid process; and

25 (b) Convene an advisory committee of early learning and home
26 visiting experts, including one representative from the department, to
27 advise the partnership regarding research and the distribution of funds
28 from the account to eligible programs.

29 (6) To promote continuity for families receiving home visiting
30 services through programs funded on the effective date of this section,
31 those programs funded under chapter 43.121 RCW shall be funded through
32 June 30, 2012, based on availability of funds and the achievement of
33 stated performance goals. This section does not require any program to
34 receive continuous funding beyond June 30, 2012. Organizations that
35 may receive program funding include local health departments;
36 nonprofit, neighborhood-based, community, regional, or statewide
37 organizations; and federally recognized Indian tribes located in the
38 state.

1 **Sec. 919.** RCW 43.105.080 and 1999 c 80 s 8 are each amended to
2 read as follows:

3 There is created a revolving fund to be known as the data
4 processing revolving fund in the custody of the state treasurer. The
5 revolving fund shall be used for the acquisition of equipment,
6 software, supplies, and services and the payment of salaries, wages,
7 and other costs incidental to the acquisition, development, operation,
8 and administration of information services, telecommunications,
9 systems, software, supplies and equipment, including the payment of
10 principal and interest on bonds issued for capital projects, by the
11 department, Washington State University's computer services center, the
12 department of personnel's personnel information systems division, the
13 office of financial management's financial systems management group,
14 and other users as jointly determined by the department and the office
15 of financial management, and during the 2009-11 fiscal biennium, the
16 legislature may transfer from the data processing revolving fund to the
17 salary/insurance increase revolving fund such amounts as reflect the
18 excess fund balance of the account. The revolving fund is subject to
19 the allotment procedure provided under chapter 43.88 RCW.
20 Disbursements from the revolving fund for the services component of the
21 department are not subject to appropriation. Disbursements for the
22 strategic planning and policy component of the department are subject
23 to appropriation. All disbursements from the fund are subject to the
24 allotment procedures provided under chapter 43.88 RCW. The department
25 shall establish and implement a billing structure to assure all
26 agencies pay an equitable share of the costs.

27 As used in this section, the word "supplies" shall not be
28 interpreted to delegate or abrogate the division of purchasing's
29 responsibilities and authority to purchase supplies as described in RCW
30 43.19.190 and 43.19.200.

31 **Sec. 920.** RCW 43.155.050 and 2009 c 564 s 940 are each amended to
32 read as follows:

33 (1) The public works assistance account is hereby established in
34 the state treasury. Money may be placed in the public works assistance
35 account from the proceeds of bonds when authorized by the legislature
36 or from any other lawful source. Money in the public works assistance
37 account shall be used to make loans and to give financial guarantees to

1 local governments for public works projects. Moneys in the account may
2 also be appropriated to provide for state match requirements under
3 federal law for projects and activities conducted and financed by the
4 board under the drinking water assistance account. Not more than
5 fifteen percent of the biennial capital budget appropriation to the
6 public works board from this account may be expended or obligated for
7 preconstruction loans, emergency loans, or loans for capital facility
8 planning under this chapter; of this amount, not more than ten percent
9 of the biennial capital budget appropriation may be expended for
10 emergency loans and not more than one percent of the biennial capital
11 budget appropriation may be expended for capital facility planning
12 loans. During the 2009-2011 fiscal biennium, the legislature may
13 transfer from the public works assistance account to the general fund
14 (~~and~~), the city-county assistance account, and the salary/insurance
15 increase revolving fund such amounts as reflect the excess fund balance
16 of the account.

17 (2) The job development fund is hereby established in the state
18 treasury. Moneys in the job development fund may be spent only after
19 appropriation.

20 NEW SECTION. **Sec. 921.** Section 920 of this act expires June 30,
21 2011.

22 **Sec. 922.** RCW 43.320.110 and 2005 c 518 s 932 are each amended to
23 read as follows:

24 There is created a local fund known as the "financial services
25 regulation fund" which shall consist of all moneys received by the
26 divisions of the department of financial institutions, except for the
27 division of securities which shall deposit thirteen percent of all
28 moneys received, except as provided in RCW 43.320.115, and which shall
29 be used for the purchase of supplies and necessary equipment; the
30 payment of salaries, wages, and utilities; the establishment of
31 reserves; and other incidental costs required for the proper regulation
32 of individuals and entities subject to regulation by the department.
33 The state treasurer shall be the custodian of the fund. Disbursements
34 from the fund shall be on authorization of the director of financial
35 institutions or the director's designee. In order to maintain an

1 effective expenditure and revenue control, the fund shall be subject in
2 all respects to chapter 43.88 RCW, but no appropriation is required to
3 permit expenditures and payment of obligations from the fund.

4 During the ((2005-2007)) 2009-2011 fiscal biennium, the legislature
5 may transfer from the financial services regulation fund to the state
6 general fund such amounts as reflect the excess fund balance of the
7 fund.

8 **Sec. 923.** RCW 46.09.170 and 2009 c 564 s 944 and 2009 c 187 s 2
9 are each reenacted and amended to read as follows:

10 (1) From time to time, but at least once each year, the state
11 treasurer shall refund from the motor vehicle fund one percent of the
12 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,
13 based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle
14 fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per
15 gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007;
16 (c) twenty-one cents per gallon of motor vehicle fuel from July 1,
17 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor
18 vehicle fuel from July 1, 2009, through June 30, 2011; and (e) twenty-
19 three cents per gallon of motor vehicle fuel beginning July 1, 2011,
20 and thereafter, less proper deductions for refunds and costs of
21 collection as provided in RCW 46.68.090.

22 (2) The treasurer shall place these funds in the general fund as
23 follows:

24 (a) Thirty-six percent shall be credited to the ORV and nonhighway
25 vehicle account and administered by the department of natural resources
26 solely for acquisition, planning, development, maintenance, and
27 management of ORV, nonmotorized, and nonhighway road recreation
28 facilities, and information programs and maintenance of nonhighway
29 roads;

30 (b) Three and one-half percent shall be credited to the ORV and
31 nonhighway vehicle account and administered by the department of fish
32 and wildlife solely for the acquisition, planning, development,
33 maintenance, and management of ORV, nonmotorized, and nonhighway road
34 recreation facilities and the maintenance of nonhighway roads;

35 (c) Two percent shall be credited to the ORV and nonhighway vehicle
36 account and administered by the parks and recreation commission solely

1 for the acquisition, planning, development, maintenance, and management
2 of ORV, nonmotorized, and nonhighway road recreation facilities; and

3 (d) Fifty-eight and one-half percent shall be credited to the
4 nonhighway and off-road vehicle activities program account to be
5 administered by the board for planning, acquisition, development,
6 maintenance, and management of ORV, nonmotorized, and nonhighway road
7 recreation facilities and for education, information, and law
8 enforcement programs. The funds under this subsection shall be
9 expended in accordance with the following limitations:

10 (i) Not more than thirty percent may be expended for education,
11 information, and law enforcement programs under this chapter;

12 (ii) Not less than seventy percent may be expended for ORV,
13 nonmotorized, and nonhighway road recreation facilities. Except as
14 provided in (d)(iii) of this subsection, of this amount:

15 (A) Not less than thirty percent, together with the funds the board
16 receives under RCW 46.09.110, may be expended for ORV recreation
17 facilities;

18 (B) Not less than thirty percent may be expended for nonmotorized
19 recreation facilities. Funds expended under this subsection
20 (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation
21 facilities funds; and

22 (C) Not less than thirty percent may be expended for nonhighway
23 road recreation facilities;

24 (iii) The board may waive the minimum percentage cited in (d)(ii)
25 of this subsection due to insufficient requests for funds or projects
26 that score low in the board's project evaluation. Funds remaining
27 after such a waiver must be allocated in accordance with board policy.

28 (3) On a yearly basis an agency may not, except as provided in RCW
29 46.09.110, expend more than ten percent of the funds it receives under
30 this chapter for general administration expenses incurred in carrying
31 out this chapter.

32 (4) During the 2009-2011 fiscal biennium, the legislature may
33 appropriate such amounts as reflect the excess fund balance in the NOVA
34 account to the department of natural resources to install consistent
35 off-road vehicle signage at department-managed recreation sites, and to
36 implement the recreation opportunities on department-managed lands in
37 the Reiter block and Ahtanum state forest, and to the state parks and
38 recreation commission. The legislature finds that the appropriation of

1 funds from the NOVA account during the 2009-2011 fiscal biennium for
2 maintenance and operation of state parks (~~and~~) or to improve
3 accessibility for boaters and off-road vehicle users(~~(.---This))~~ at
4 state parks will benefit boaters and off-road vehicle users and others
5 who use nonhighway and nonmotorized recreational facilities. The
6 appropriations (~~is~~) under this subsection are not required to follow
7 the specific distribution specified in subsection (2) of this section.

8 **Sec. 924.** RCW 66.08.170 and 2009 c 564 s 947 are each amended to
9 read as follows:

10 There shall be a fund, known as the "liquor revolving fund", which
11 shall consist of all license fees, permit fees, penalties, forfeitures,
12 and all other moneys, income, or revenue received by the board. The
13 state treasurer shall be custodian of the fund. All moneys received by
14 the board or any employee thereof, except for change funds and an
15 amount of petty cash as fixed by the board within the authority of law
16 shall be deposited each day in a depository approved by the state
17 treasurer and transferred to the state treasurer to be credited to the
18 liquor revolving fund. During the 2009-2011 fiscal biennium, the
19 legislature may transfer funds from the liquor revolving (~~account~~
20 ~~{fund}~~) fund to the state general fund and may direct an additional
21 amount of liquor profits to be distributed to local governments.
22 Neither the transfer of funds nor the additional distribution of liquor
23 profits to local governments during the 2009-2011 fiscal biennium may
24 reduce the excess fund distributions that otherwise would occur under
25 RCW 66.08.190. Licensee sales are exempt from any increases to the
26 price of liquor made by the board during the 2009-2011 fiscal biennium
27 for the purpose of implementing any transfers to the state general fund
28 or additional distribution of liquor profits. This exemption includes
29 price increases implemented for such purposes during the 2009-2011
30 fiscal biennium prior to the effective date of this section but applies
31 only to sales made on or after July 1, 2010. Disbursements from the
32 revolving fund shall be on authorization of the board or a duly
33 authorized representative thereof. In order to maintain an effective
34 expenditure and revenue control the liquor revolving fund shall be
35 subject in all respects to chapter 43.88 RCW but no appropriation shall
36 be required to permit expenditures and payment of obligations from such
37 fund.

1 **Sec. 925.** RCW 67.70.044 and 2009 c 576 s 1 are each amended to
2 read as follows:

3 (1) Pursuant to RCW 67.70.040(1)(a), the commission may enter into
4 the multistate agreement establishing a shared game lottery known as
5 "The Big Game," that was entered into by party state lotteries in
6 August 1996 and subsequently amended and a shared game lottery known as
7 "Powerball."

8 (2) The shared game lottery account is created as a separate
9 account outside the state treasury. The account is managed,
10 maintained, and controlled by the commission and consists of all
11 revenues received from the sale of shared game lottery tickets or
12 shares, and all other moneys credited or transferred to it from any
13 other fund or source under law. The account is allotted according to
14 chapter 43.88 RCW. During the 2009-2011 fiscal biennium, the
15 legislature may transfer from the shared game lottery account to the
16 education legacy trust account such amounts as reflect the excess fund
17 balance of the account.

18 **Sec. 926.** RCW 67.70.230 and 1985 c 375 s 4 are each amended to
19 read as follows:

20 There is hereby created and established a separate account, to be
21 known as the state lottery account. Such account shall be managed,
22 maintained, and controlled by the commission and shall consist of all
23 revenues received from the sale of lottery tickets or shares, and all
24 other moneys credited or transferred thereto from any other fund or
25 source pursuant to law. The account shall be a separate account
26 outside the state treasury. No appropriation is required to permit
27 expenditures and payment of obligations from the account. During the
28 2009-2011 fiscal biennium, the legislature may transfer from the state
29 lottery account to the education legacy trust account such amounts as
30 reflect the excess fund balance of the account.

31 **Sec. 927.** RCW 70.93.180 and 2009 c 564 s 950 are each amended to
32 read as follows:

33 (1) There is hereby created an account within the state treasury to
34 be known as the "waste reduction, recycling, and litter control
35 account". Moneys in the account may be spent only after appropriation.

1 Expenditures from the waste reduction, recycling, and litter control
2 account shall be used as follows:

3 (a) Fifty percent to the department of ecology, for use by the
4 departments of ecology, natural resources, revenue, transportation, and
5 corrections, and the parks and recreation commission, for use in litter
6 collection programs, to be distributed under RCW 70.93.220. The amount
7 to the department of ecology shall also be used for a central
8 coordination function for litter control efforts statewide, for the
9 biennial litter survey under RCW 70.93.200(8), and for statewide public
10 awareness programs under RCW 70.93.200(7). The amount to the
11 department shall also be used to defray the costs of administering the
12 funding, coordination, and oversight of local government programs for
13 waste reduction, litter control, and recycling, so that local
14 governments can apply one hundred percent of their funding to achieving
15 program goals. The amount to the department of revenue shall be used
16 to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

17 (b) Twenty percent to the department for local government funding
18 programs for waste reduction, litter control, and recycling activities
19 by cities and counties under RCW 70.93.250, to be administered by the
20 department of ecology; and

21 (c) Thirty percent to the department of ecology for waste reduction
22 and recycling efforts.

23 (2) All taxes imposed in RCW 82.19.010 and fines and bail
24 forfeitures collected or received pursuant to this chapter shall be
25 deposited in the waste reduction, recycling, and litter control account
26 and used for the programs under subsection (1) of this section.

27 (3) Not less than five percent and no more than ten percent of the
28 amount appropriated into the waste reduction, recycling, and litter
29 control account every biennium shall be reserved for capital needs,
30 including the purchase of vehicles for transporting crews and for
31 collecting litter and solid waste. Capital funds shall be distributed
32 among state agencies and local governments according to the same
33 criteria provided in RCW 70.93.220 for the remainder of the funds, so
34 that the most effective waste reduction, litter control, and recycling
35 programs receive the most funding. The intent of this subsection is to
36 provide funds for the purchase of equipment that will enable the
37 department to account for the greatest return on investment in terms of
38 reaching a zero litter goal.

1 (4) During the 2009-2011 fiscal biennium, the legislature may
2 transfer from the waste reduction, recycling, and litter control
3 account to the state general fund such amounts as reflect the excess
4 fund balance of the account. (~~For purposes of subsection (1) of this~~
5 ~~section, this transfer shall be treated as an expenditure for litter~~
6 ~~collection.~~) Additionally, during the 2009-2011 fiscal biennium,
7 subsection (1) of this section is suspended.

8 **Sec. 928.** RCW 70.105D.070 and 2009 c 564 s 951 are each amended to
9 read as follows:

10 (1) The state toxics control account and the local toxics control
11 account are hereby created in the state treasury.

12 (2) The following moneys shall be deposited into the state toxics
13 control account: (a) Those revenues which are raised by the tax
14 imposed under RCW 82.21.030 and which are attributable to that portion
15 of the rate equal to thirty-three one-hundredths of one percent; (b)
16 the costs of remedial actions recovered under this chapter or chapter
17 70.105A RCW; (c) penalties collected or recovered under this chapter;
18 and (d) any other money appropriated or transferred to the account by
19 the legislature. Moneys in the account may be used only to carry out
20 the purposes of this chapter, including but not limited to the
21 following activities:

22 (i) The state's responsibility for hazardous waste planning,
23 management, regulation, enforcement, technical assistance, and public
24 education required under chapter 70.105 RCW;

25 (ii) The state's responsibility for solid waste planning,
26 management, regulation, enforcement, technical assistance, and public
27 education required under chapter 70.95 RCW;

28 (iii) The hazardous waste cleanup program required under this
29 chapter;

30 (iv) State matching funds required under the federal cleanup law;

31 (v) Financial assistance for local programs in accordance with
32 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

33 (vi) State government programs for the safe reduction, recycling,
34 or disposal of hazardous wastes from households, small businesses, and
35 agriculture;

36 (vii) Hazardous materials emergency response training;

1 (viii) Water and environmental health protection and monitoring
2 programs;

3 (ix) Programs authorized under chapter 70.146 RCW;

4 (x) A public participation program, including regional citizen
5 advisory committees;

6 (xi) Public funding to assist potentially liable persons to pay for
7 the costs of remedial action in compliance with cleanup standards under
8 RCW 70.105D.030(2)(e) but only when the amount and terms of such
9 funding are established under a settlement agreement under RCW
10 70.105D.040(4) and when the director has found that the funding will
11 achieve both (A) a substantially more expeditious or enhanced cleanup
12 than would otherwise occur, and (B) the prevention or mitigation of
13 unfair economic hardship;

14 (xii) Development and demonstration of alternative management
15 technologies designed to carry out the hazardous waste management
16 priorities of RCW 70.105.150; ~~((and))~~

17 (xiii) During the 2009-2011 fiscal biennium, shoreline update
18 technical assistance; and

19 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional
20 permitting teams.

21 (3) The following moneys shall be deposited into the local toxics
22 control account: Those revenues which are raised by the tax imposed
23 under RCW 82.21.030 and which are attributable to that portion of the
24 rate equal to thirty-seven one-hundredths of one percent.

25 (a) Moneys deposited in the local toxics control account shall be
26 used by the department for grants or loans to local governments for the
27 following purposes in descending order of priority:

28 (i) Remedial actions;

29 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

30 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
31 70.95I, and 70.105 RCW;

32 (iv) Funds for a program to assist in the assessment and cleanup of
33 sites of methamphetamine production, but not to be used for the initial
34 containment of such sites, consistent with the responsibilities and
35 intent of RCW 69.50.511; and

36 (v) Cleanup and disposal of hazardous substances from abandoned or
37 derelict vessels, defined for the purposes of this section as vessels
38 that have little or no value and either have no identified owner or

1 have an identified owner lacking financial resources to clean up and
2 dispose of the vessel, that pose a threat to human health or the
3 environment.

4 (b) Funds for plans and programs shall be allocated consistent with
5 the priorities and matching requirements established in chapters
6 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
7 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
8 project that is referenced in the action agenda developed by the Puget
9 Sound partnership under RCW 90.71.310, shall, except as conditioned by
10 RCW 70.105D.120, receive priority for any available funding for any
11 grant or funding programs or sources that use a competitive bidding
12 process. During the 2007-2009 fiscal biennium, moneys in the account
13 may also be used for grants to local governments to retrofit public
14 sector diesel equipment and for storm water planning and implementation
15 activities.

16 (c) To expedite cleanups throughout the state, the department shall
17 partner with local communities and liable parties for cleanups. The
18 department is authorized to use the following additional strategies in
19 order to ensure a healthful environment for future generations:

20 (i) The director may alter grant-matching requirements to create
21 incentives for local governments to expedite cleanups when one of the
22 following conditions exists:

23 (A) Funding would prevent or mitigate unfair economic hardship
24 imposed by the clean-up liability;

25 (B) Funding would create new substantial economic development,
26 public recreational, or habitat restoration opportunities that would
27 not otherwise occur; or

28 (C) Funding would create an opportunity for acquisition and
29 redevelopment of vacant, orphaned, or abandoned property under RCW
30 70.105D.040(5) that would not otherwise occur;

31 (ii) The use of outside contracts to conduct necessary studies;

32 (iii) The purchase of remedial action cost-cap insurance, when
33 necessary to expedite multiparty clean-up efforts.

34 (4) Except for unanticipated receipts under RCW 43.79.260 through
35 43.79.282, moneys in the state and local toxics control accounts may be
36 spent only after appropriation by statute.

37 (5) Except during the 2009-2011 fiscal biennium, one percent of the
38 moneys deposited into the state and local toxics control accounts shall

1 be allocated only for public participation grants to persons who may be
2 adversely affected by a release or threatened release of a hazardous
3 substance and to not-for-profit public interest organizations. The
4 primary purpose of these grants is to facilitate the participation by
5 persons and organizations in the investigation and remedying of
6 releases or threatened releases of hazardous substances and to
7 implement the state's solid and hazardous waste management priorities.
8 No grant may exceed sixty thousand dollars. Grants may be renewed
9 annually. Moneys appropriated for public participation from either
10 account which are not expended at the close of any biennium shall
11 revert to the state toxics control account.

12 (6) No moneys deposited into either the state or local toxics
13 control account may be used for solid waste incinerator feasibility
14 studies, construction, maintenance, or operation, or, after January 1,
15 2010, for projects designed to address the restoration of Puget Sound,
16 funded in a competitive grant process, that are in conflict with the
17 action agenda developed by the Puget Sound partnership under RCW
18 90.71.310.

19 (7) The department shall adopt rules for grant or loan issuance and
20 performance.

21 (8) During the 2007-2009 and 2009-2011 fiscal biennia, the
22 legislature may transfer from the local toxics control account to
23 either the state general fund or the oil spill prevention account, or
24 both such amounts as reflect excess fund balance in the account.

25 (9) During the 2009-2011 fiscal biennium, the local toxics control
26 account may also be used for a standby rescue tug at Neah Bay, local
27 government shoreline update grants, private and public sector diesel
28 equipment retrofit, and oil spill prevention, preparedness, and
29 response activities.

30 (10) During the 2009-2011 fiscal biennium, the legislature may
31 transfer from the state toxics control account to the state general
32 fund such amounts as reflect the excess fund balance in the account.

33 **Sec. 929.** RCW 70.146.100 and 2007 c 233 s 1 are each amended to
34 read as follows:

35 (1) The water quality capital account is created in the state
36 treasury. Moneys in the water quality capital account may be spent
37 only after appropriation.

1 (2) Expenditures from the water quality capital account may only be
2 used: (a) To make grants or loans to public bodies, including grants
3 to public bodies as cost-sharing moneys in any case where federal,
4 local, or other moneys are made available on a cost-sharing basis, for
5 the capital component of water pollution control facilities and
6 activities; (b) for purposes of assisting a public body to obtain an
7 ownership interest in water pollution control facilities; or (c) to
8 defray any part of the capital component of the payments made by a
9 public body to a service provider under a service agreement entered
10 into under RCW 70.150.060. During the 2009-2011 fiscal biennium, the
11 legislature may transfer from the water quality capital account to the
12 state general fund such amounts as reflect the excess fund balance of
13 the account.

14 **Sec. 930.** RCW 74.31.030 and 2007 c 356 s 4 are each amended to
15 read as follows:

16 (1) By July 30, 2007, the department shall designate a staff person
17 who shall be responsible for the following:

18 (a) Coordinating policies, programs, and services for individuals
19 with traumatic brain injuries; and

20 (b) Providing staff support to the council created in RCW
21 74.31.020.

22 (2) The department shall provide data and information to the
23 council established under RCW 74.31.020 that is requested by the
24 council and is in the possession or control of the department.

25 (3) By December 1, 2007, the department shall provide a preliminary
26 report to the legislature and the governor, and shall provide a final
27 report by December 1, 2008, containing recommendations for a
28 comprehensive statewide plan to address the needs of individuals with
29 traumatic brain injuries, including the use of public-private
30 partnerships and a public awareness campaign. The comprehensive plan
31 should be created in collaboration with the council and should consider
32 the following:

33 (a) Building provider capacity and provider training;

34 (b) Improving the coordination of services;

35 (c) The feasibility of establishing agreements with private sector
36 agencies to develop services for individuals with traumatic brain
37 injuries; and

1 (d) Other areas the council deems appropriate.

2 (4) By December 1, 2007, the department shall:

3 (a) Provide information and referral services to individuals with
4 traumatic brain injuries until the statewide referral and information
5 network is developed. The referral services may be funded from the
6 traumatic brain injury account established under RCW 74.31.060; ~~((and))~~

7 (b) Encourage and facilitate the following:

8 (i) Collaboration among state agencies that provide services to
9 individuals with traumatic brain injuries;

10 (ii) Collaboration among organizations and entities that provide
11 services to individuals with traumatic brain injuries; and

12 (iii) Community participation in program implementation; and

13 (c) During the 2009-2011 fiscal biennium:

14 (i) Secure funding to develop housing specifically for traumatic
15 brain injured individuals by leveraging federal and private fund
16 sources;

17 (ii) Expand support group services with an emphasis on persons
18 returning from active military duty with traumatic brain injury and
19 their families;

20 (iii) Establish training and outreach to first responders and
21 emergency medical staff for care related to traumatic brain injury; and

22 (iv) Improve awareness of health insurance coverage options and
23 promote best practices in private health insurance coverage.

24 (5) By December 1, 2007, and by December 1st each year thereafter,
25 the department shall issue a report to the governor and the legislature
26 containing the following:

27 (a) A summary of action taken by the department to meet the needs
28 of individuals with traumatic brain injuries; and

29 (b) Recommendations for improvements in services to address the
30 needs of individuals with traumatic brain injuries.

31 **Sec. 931.** RCW 74.31.060 and 2007 c 356 s 7 are each amended to
32 read as follows:

33 The traumatic brain injury account is created in the state
34 treasury. Two dollars of the fee imposed under RCW 46.63.110(7)(c)
35 must be deposited into the account. Moneys in the account may be spent
36 only after appropriation, and may be used only to provide a public
37 awareness campaign and services relating to traumatic brain injury

1 under RCW 74.31.040 and 74.31.050, for information and referral
2 services, and for costs of required department staff who are providing
3 support for the council and information and referral services under RCW
4 74.31.020 and 74.31.030. During the 2009-2011 fiscal biennium, money
5 in the account may also be spent on the services authorized in RCW
6 74.31.030(4)(c). The secretary of the department of social and health
7 services has the authority to administer the funds.

8 **Sec. 932.** RCW 79.105.150 and 2009 c 564 s 959 are each amended to
9 read as follows:

10 (1) After deduction for management costs as provided in RCW
11 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
12 received by the state from the sale or lease of state-owned aquatic
13 lands and from the sale of valuable material from state-owned aquatic
14 lands shall be deposited in the aquatic lands enhancement account which
15 is hereby created in the state treasury. After appropriation, these
16 funds shall be used solely for aquatic lands enhancement projects; for
17 the purchase, improvement, or protection of aquatic lands for public
18 purposes; for providing and improving access to the lands; and for
19 volunteer cooperative fish and game projects. During the 2009-2011
20 fiscal biennium, the aquatic lands enhancement account may also be used
21 for scientific research as part of the adaptive management process.
22 During the 2009-11 fiscal biennium, the legislature may transfer from
23 the aquatic lands enhancement account to the state general fund such
24 amounts as reflect excess fund balance of the account.

25 (2) In providing grants for aquatic lands enhancement projects, the
26 recreation and conservation funding board shall:

27 (a) Require grant recipients to incorporate the environmental
28 benefits of the project into their grant applications;

29 (b) Utilize the statement of environmental benefits, consideration,
30 except as provided in RCW 79.105.610, of whether the applicant is a
31 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
32 referenced in the action agenda developed by the Puget Sound
33 partnership under RCW 90.71.310, and except as otherwise provided in
34 RCW 79.105.630, and effective one calendar year following the
35 development and statewide availability of model evergreen community
36 management plans and ordinances under RCW 35.105.050, whether the
37 applicant is an entity that has been recognized, and what gradation of

1 recognition was received, in the evergreen community recognition
2 program created in RCW 35.105.030 in its prioritization and selection
3 process; and

4 (c) Develop appropriate outcome-focused performance measures to be
5 used both for management and performance assessment of the grants.

6 (3) To the extent possible, the department should coordinate its
7 performance measure system with other natural resource-related agencies
8 as defined in RCW 43.41.270.

9 (4) The department shall consult with affected interest groups in
10 implementing this section.

11 (5) After January 1, 2010, any project designed to address the
12 restoration of Puget Sound may be funded under this chapter only if the
13 project is not in conflict with the action agenda developed by the
14 Puget Sound partnership under RCW 90.71.310.

15 **Sec. 933.** RCW 80.01.080 and 2006 c 3 s 2 are each amended to read
16 as follows:

17 There is created in the state treasury a public service revolving
18 fund. Regulatory fees payable by all types of public service companies
19 shall be deposited to the credit of the public service revolving fund.
20 Except for expenses payable out of the pipeline safety account, all
21 expense of operation of the Washington utilities and transportation
22 commission shall be payable out of the public service revolving fund.

23 During the ((2003-2005)) 2009-2011 fiscal biennium, the legislature
24 may transfer from the public service revolving fund to the state
25 general fund such amounts as reflect the excess fund balance of the
26 fund.

27 Due to the extraordinarily high winter energy costs, during the
28 2005-2007 fiscal biennium, no more than seven million six hundred
29 thousand dollars, as appropriated in section 1, chapter 3, Laws of
30 2006, shall be payable out of the public service revolving fund to
31 provide energy assistance to customers in accordance with the
32 low-income energy assistance program.

33 **Sec. 934.** RCW 80.36.430 and 2009 c 564 s 960 are each amended to
34 read as follows:

35 (1) The Washington telephone assistance program shall be funded by
36 a telephone assistance excise tax on all switched access lines and by

1 funds from any federal government or other programs for this purpose.
2 Switched access lines are defined in RCW 82.14B.020. The telephone
3 assistance excise tax shall be applied equally to all residential and
4 business access lines not to exceed fourteen cents per month. The
5 department shall submit an approved annual budget for the Washington
6 telephone assistance program to the department of revenue no later than
7 March 1st prior to the beginning of each fiscal year. The department
8 of revenue shall then determine the amount of telephone assistance
9 excise tax to be placed on each switched access line and shall inform
10 local exchange companies and the utilities and transportation
11 commission of this amount no later than May 1st. The department of
12 revenue shall determine the amount of telephone assistance excise tax
13 by dividing the total of the program budget funded by the telephone
14 assistance excise tax, as submitted by the department, by the total
15 number of switched access lines in the prior calendar year. The
16 telephone assistance excise tax shall be separately identified on each
17 ratepayer's bill as the "Washington telephone assistance program." All
18 money collected from the telephone assistance excise tax shall be
19 transferred to a telephone assistance fund administered by the
20 department.

21 (2) Local exchange companies shall bill the fund for their expenses
22 incurred in offering the telephone assistance program, including
23 administrative and program expenses. The department shall disburse the
24 money to the local exchange companies. The department is exempted from
25 having to conclude a contract with local exchange companies in order to
26 effect this reimbursement. The department shall recover its
27 administrative costs from the fund. The department may specify by rule
28 the range and extent of administrative and program expenses that will
29 be reimbursed to local exchange companies.

30 (3) The department shall enter into an agreement with the
31 department of (~~community, trade, and economic development~~) commerce
32 for an amount not to exceed eight percent of the prior fiscal year's
33 total revenue for the administrative and program expenses of providing
34 community service voice mail services. The community service voice
35 mail service may include toll-free lines in community action agencies
36 through which recipients can access their community service voice
37 mailboxes at no charge.

1 (4) During the 2009-2011 biennium, the department shall enter into
2 an agreement with the (~~military department for one million dollars to~~
3 ~~support the~~) WIN 211 (~~(program)~~) organization for operational support.

4 **Sec. 935.** RCW 82.14.495 and 2009 c 4 s 907 are each amended to
5 read as follows:

6 (1) The streamlined sales and use tax mitigation account is created
7 in the state treasury. The state treasurer shall transfer into the
8 account from the general fund amounts as directed in RCW 82.14.500.
9 Expenditures from the account may be used only for the purpose of
10 mitigating the negative fiscal impacts to local taxing jurisdictions as
11 a result of RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to
12 RCW 82.14.020. During the (~~(2007-2009)~~) 2009-2011 fiscal biennium, the
13 legislature may transfer from the streamlined sales and use tax
14 mitigation account to the state general fund such amounts as reflect
15 the excess fund balance of the account.

16 (2) Beginning July 1, 2008, the state treasurer, as directed by the
17 department, shall distribute the funds in the streamlined sales and use
18 tax mitigation account to local taxing jurisdictions in accordance with
19 RCW 82.14.500.

20 (3) The definitions in this subsection apply throughout this
21 section and RCW 82.14.390 and 82.14.500.

22 (a) "Agreement" means the same as in RCW 82.32.020.

23 (b) "Local taxing jurisdiction" means counties, cities,
24 transportation authorities under RCW 82.14.045, public facilities
25 districts under chapters 36.100 and 35.57 RCW, public transportation
26 benefit areas under RCW 82.14.440, and regional transit authorities
27 under chapter 81.112 RCW, that impose a sales and use tax.

28 (c) "Loss" or "losses" means the local sales and use tax revenue
29 reduction to a local taxing jurisdiction resulting from the sourcing
30 provisions in RCW 82.14.490 and the chapter 6, Laws of 2007 amendments
31 to RCW 82.14.020.

32 (d) "Net loss" or "net losses" means a loss offset by any voluntary
33 compliance revenue.

34 (e) "Voluntary compliance revenue" means the local sales tax
35 revenue gain to each local taxing jurisdiction reported to the
36 department from persons registering through the central registration
37 system authorized under the agreement.

1 (f) "Working day" has the same meaning as in RCW 82.45.180.

2 NEW SECTION. **Sec. 936.** A new section is added to 2009 c 564
3 (uncodified) to read as follows:

4 **COLLECTIVE BARGAINING AGREEMENT--WSRCC ADULT FAMILY HOME**
5 **PROVIDERS.** Appropriations in this act reflect the collective
6 bargaining agreement reached between the governor and the Washington
7 state residential care council of adult family homes under the
8 provisions of chapter 41.56 RCW.

9 NEW SECTION. **Sec. 937.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 938.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 immediately.

(End of bill)

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1 Correct the title.

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